

EXHIBIT I

September 12, 2007

THE M/V NORASIA

Page 1

[1]
 [2] UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK
 [3]
 [4] MICHAEL STEPSKI, KIRSTEN STEPSKI,
 [5] his Wife; GEAL RODERICK and
 BENJAMIN SCHÖBER,
 [6] Case No
 Plaintiffs, 06 CV 01695 (CM)
 [7]
 - vs -
 [8]
 [9] THE M/V NORASIA ALYA, her owners,
 operators, etc., and MS "ALENA"
 SCHIFFAHRTSGESELLSCHAFT mbH & CO.,
 [10] KG, PETER DOEHLE SCHIFFAHRTS-KG,
 Defendants.
 [11]
 [12]
 [13]
 [14] Deposition of ADRIAN CALIMANESCU,
 [15] taken by Plaintiffs, pursuant to Notice, at the
 [16] offices of Blank Rome, LLP, The Chrysler Building,
 [17] 405 Lexington Avenue, New York, New York, on
 [18] Wednesday, September, 12, 2007 commencing at 10:06
 [19] a.m., before Linda D. Danelczyk, a Certified
 [20] Shorthand Reporter, Registered Professional
 [21] Reporter and a Notary Public of the State of New
 [22] York.
 [23]
 [24]
 [25]

Page 2

[1]
 [2] Appearances:
 [3]
 [4] THOMAS H. HEALEY, ESQUIRE
 Attorney for Plaintiffs
 17 Battery Place, Suite 605
 [5] New York, New York 10004
 [6]
 [7] BLANK ROME, LLP
 [8] Attorneys for Defendants
 The Chrysler Building
 [9] 405 Lexington Avenue
 New York, New York 10174-0208
 [10]
 BY: ALAN M. WEIGEL, ESQ.

[11]
 [12] ALSO PRESENT:
 [13]
 [14] NADIA SHARON-SCHWARTZ, Interpreter
 [15]
 [16] TERRENCE GARGAN
 [17]
 [18]
 [19]
 [20]
 [21]
 [22]
 [23]
 [24]
 [25]

Page 3

[1]
 [2]
 [3] IT IS HEREBY STIPULATED AND
 [4] AGREED that the filing and sealing of
 [5] the within deposition be, and the
 [6] same are hereby waived;
 [7] IT IS FURTHER STIPULATED AND
 [8] AGREED that all objections, except as
 [9] to the form of the question, be and
 [10] the same are hereby reserved to the
 [11] time of the trial;
 [12] IT IS FURTHER STIPULATED AND
 [13] AGREED that the within deposition may
 [14] be sworn to before any Notary Public
 [15] with the same force and effect as if
 [16] sworn to before a Judge of this
 [17] Court;
 [18] IT IS FURTHER STIPULATED that
 [19] the transcript is to be certified by
 [20] the reporter.
 [21]
 [22]
 [23]
 [24]
 [25]

ADRIAN CALMANESCU
September 12, 2007

STEPSKI v.
THE M/V NORASIA

Page 4

[1]
[2] ADIA SHARON- SCHWARTZ,
[3] called as the official interpreter in this
[4] matter, was duly sworn by a Notary Public of
[5] the State of New York, (Linda D. Danelczyk),
[6] to translate accurately and faithfully the
[7] questions propounded to the witness from
[8] English into Rumanian and the answers given by
[9] the witness from Rumanian into English.

[10]
[11] A D R I A N C A L I M A N E S C U, having
[12] been first duly sworn by a Notary Public of
[13] the State of New York, (Linda D. Danelczyk),
[14] according to law, was examined and testified
[15] as follows:

[16] **EXAMINATION**
[17] **BY MR. HEALEY:**

[18] **Q:** All right. I introduced myself,
[19] right? Tom Healey.

[20] **A:** Yes.

[21] **Q:** And you're captain. Do you have
[22] captain's paper?

[23] **A:** No.

[24] **Q:** Do you have a captain's license?

[25] **A:** No.

Page 5

A. Calimanescu

[2] **Q:** Tell me your name?

[3] **A:** Adrian Calimanescu.

[4] **Q:** Say it again.

[5] **MR. WIEGEL:** Calimanescu.

[6] **THE INTERPRETER:** Calimanescu.

[7] **MR. HEALEY:** I got it. I just
[8] want politeness. My pronunciation.

[9] **Q:** Calimanescu is close enough?

[10] **A:** Yes. Yes.

[11] **Q:** I'm here to ask you some questions
[12] about a voyage of the NORASIA ALYA in May of
[13] 2002 —

[14] **MR. GARGAN:** '4 '4.

[15] **Q:** I mean 2004.

[16] Now hold on a minute, please. I

[17] don't speak — Rumanian is your native tongue?

[18] **A:** Right.

[19] **Q:** I could hardly pronounce your name.

[20] You could only speak English.

[21] Do you understand me when I'm
[22] speaking to you?

[23] **A:** I understand you.

[24] **Q:** Am I correct that at least on the
[25] NORASIA ALYA it's — there's a big sign on the

Page 6

A. Calimanescu

[2] bridge that says "The Language On The Ship Is To
[3] Be English"?

[4] **A:** English.

[5] **Q:** Are you comfortable listening to me
[6] and speaking in English?

[7] **A:** Yes.

[8] **Q:** You understand, because we have an
[9] interpreter here, if we can — I'm going to try to
[10] do this simply in English and you answers in
[11] English.

[12] **All right?**

[13] **A:** Yes.

[14] **Q:** Look, if you don't understand, see,
[15] since English is your second language, if you
[16] don't understand, tell us or make sure it's clear
[17] and only then, if necessary, will we use the
[18] interpreter. But we're going to try this in
[19] English, correct?

[20] **A:** Okay.

[21] **Q:** Give me a little background. What's
[22] your birth date?

[23] **A:** 30 September '71, 1971.

[24] **Q:** And your citizenship, still
[25] Rumanian?

Page 7

A. Calimanescu

[2] **A:** Still Rumanian.

[3] **Q:** At present, what is your occupation?

[4] **A:** Seaman. Third mate.

[5] **Q:** And do you have any licenses?

[6] **A:** Third mate license.

[7] **Q:** Who issued that?

[8] **A:** Rumanian authority. National
[9] Rumanian Authority.

[10] **Q:** When was the third mate's license
[11] issued to you?

[12] **A:** 1996.

[13] **Q:** And now this was — you got your
[14] third mate's license in 1996 and it's a Rumanian
[15] license?

[16] **A:** Yes.

[17] **Q:** Do you have any other licenses from
[18] any other government?

[19] **A:** Liberia make it under.

[20] **Q:** The Liberian endorsement, is that
[21] what he was telling us?

[22] **MR. WIEGEL:** Yes.

[23] **MR. HEALEY:** Okay. Got you.

[24] **All right.**

[25] **Q:** Now, that's a third mate's license,

Page 8

A. Calimanescu

- (1)
(2) all right.
(3) A: Right.
(4) Q: And so you have sailed as a third
(5) mate?
(6) A: Yes.
(7) Q: Does that license entitle you to
(8) sail in any other rating; second mate, chief
(9) officer?
(10) A: Only second mate. According to the
(11) new regulations.
(12) Q: So the present license, the present
(13) licenses, you can sail in the second or third
(14) officer?
(15) A: Yes. The license, it's on this
(16) moment, it's watch officer. It's not third mate
(17) or second mate. Watch officer.
(18) Q: Thank you. Thank you.
(19) Now, before you got the license, I
(20) want you to tell me a little bit about your
(21) schooling. You don't have to go into great
(22) detail.
(23) You went to grammar school and what
(24) other schooling?
(25) A: Five years. My time now Maritime

Page 9

A. Calimanescu

- (1) Academy.
(2) Q: What five years?
(3) A: Of school.
(4) Q: Yes, 19 what?
(5) A: '91 to '96.
(6) Q: Okay.
(7) And have you had any more schooling
(8) or training since 1996?
(9) A: I take courses on the — under the
(10) National Maritime Authority. I take courses to
(11) extend the license and the seaman book.
(12) Q: All right.
(13) When was your first ship?
(14) A: First ship in 1996.
(15) Q: And what was your rating? Third
(16) officer?
(17) A: Third officer.
(18) Q: What was the name of the ship?
(19) A: SAMMARINA II.
(20) Q: What kind of ship?
(21) A: Cargo ship. Bulk carrier.
(22) MR. HEALEY: Is his sea record
(23) in there?
(24) MR. WIEGEL: Yes. Yes.
(25)

Page 10

A. Calimanescu

- (1)
(2) MR. HEALEY: Although it's
(3) primarily in —
(4) MR. WIEGEL: Another language?
(5) The names of the ships will be easily
(6) identified, but just, you know, the
(7) rest of it is — most of it's in
(8) Rumanian. You can identify the ships
(9) from it.
(10) The last two or three pages.
(11) (Discussion off the record.)
(12) Q: I want you to tell me about your sea
(13) history, and this will help me follow. Let's do
(14) it this way.
(15) Is this two pages —
(16) MR. WIEGEL: Two-page
(17) document, yes.
(18) Q: I'm showing you — I want you to
(19) look at that and tell me if that's an accurate
(20) record of all your ships?
(21) A: Yes.
(22) Q: I mean, that's your whole sea
(23) history on there?
(24) A: Yes.
(25) MR. HEALEY: Now we better

Page 11

A. Calimanescu

- (1) mark that.
(2) MR. WIEGEL: Well you started,
(3) by your choice, you did Kowalewski and
(4) No. 1 so probably do Calimanescu
(5) No. 1.
(6) (Whereupon, Document issued by
(7) Autoritatea Navala, the Rumanian
(8) Naval Authority, was marked as
(9) Calimanescu Exhibit 1 for
(10) identification, as of this date.)
(11) Q: Is this something that the Rumanian
(12) Maritime Authority has issued?
(13) A: Yes.
(14) Q: I see it says "Autoritatea Navala."
(15) That means the Rumanian Naval Authority; is that
(16) right?
(17) A: Yes.
(18) Q: This is accurate, all the ships —
(19) A: Yes, ship's registry.
(20) Q: And now, what kind of ship was the
(21) NORASIA ALYA?
(22) A: Container vessel.
(23) Q: All right.
(24) And when was the first time that you
(25)

ADRIAN CALMANESCU
September 12, 2007

STEPSKI v.
THE M/V NORASIA

Page 12

(1) *A. Calimanescu*
(2) sailed as an officer on a container vessel?
(3) A: In 2002.
(4) Q: Is that this the name COLUMBUS
(5) CHILE?
(6) A: COLUMBUS, yes.
(7) Q: And did you continue to serve on
(8) container vessels after that?
(9) A: Still am.
(10) Q: Again, I'm still looking at Rumanian
(11) document which we marked as No. 1. You can simply
(12) explain.
(13) I can see the name of the vessel.
(14) It says what I believe would be your function on
(15) board; is that what that means in English?
(16) A: Yes.
(17) Which number?
(18) Q: And you're going to have to just
(19) tell me, I assume this is Rumanian, "Ofiter De
(20) Punte Maritim."
(21) What does that mean in English?
(22) A: Deck officer.
(23) Q: Okay. All right.
(24) And still looking at this exhibit
(25) No. 1, we do list your service on the NORASIA

Page 13

(1) *A. Calimanescu*
(2) ALYA, right?
(3) A: Yes.
(4) Q: So you made — I'm looking. There
(5) was the one time on board from looks like
(6) February 17th, 2004 until what is that
(7) September 25th, 2004?
(8) A: Yes.
(9) Q: That was your whole time on board
(10) the NORASIA ALYA?
(11) A: Yes.
(12) Q: Who was the master?
(13) A: Captain Kowalewski.
(14) Q: Had you sailed with him at any other
(15) time before this?
(16) A: COLUMBUS CHILE.
(17) Q: And did you ever sail with the
(18) captain after the NORASIA ALYA?
(19) A: Yes, on CSAV RIO TRANCURA.
(20) Q: Okay.
(21) And now you said the CSAV RIO
(22) TRANCURA I see that.
(23) Who was the company that you — who
(24) owned the NORASIA ALYA?
(25) A: Peter Doehle.

Page 14

(1) *A. Calimanescu*
(2) Q: And these other vessels after the
(3) NORASIA ALYA, the CSAV RIO TRANCURA, you have the
(4) ANTILLANCA, ARIANA.
(5) Are those Peter Doehle ships?
(6) A: Yes.
(7) Q: You're still working for Peter?
(8) A: Yes.
(9) Q: So you're steady with that company?
(10) A: Yes.
(11) Q: I can't get this one. PETROHUE?
(12) A: Yes. PETROHUE.
(13) Q: Okay.
(14) And as you said, you were also the
(15) deck officer on all those vessels?
(16) A: Yes.
(17) Q: That's a watch standing —
(18) A: Watch standing, yes.
(19) Q: — position?
(20) A: Yes. Watch officer.
(21) Q: I'm going to be referring to the
(22) NORASIA ALYA logbook, so we'll wait and give you a
(23) copy to look at.
(24) MR. WIEGEL: Which one?
(25) MR. HEALEY: May 22nd, 2004.

Page 15

(1) *A. Calimanescu*
(2) MR. WIEGEL: Just so the
(3) record is clear, that particular entry
(4) is located in Logbook No. II, which
(5) was previously marked as Kowalewski
(6) Exhibit No. 2, and we have the
(7) original logbooks here available.
(8) MR. HEALEY: That's right.
(9) But we know the copies are accurate.
(10) We can work —
(11) MR. WIEGEL: Just in case he
(12) can't read the reduced one.
(13) MR. HEALEY: All right.
(14) Q: Now leave it there, but before we —
(15) now this — this May 22nd, 2004 segment of the
(16) voyage, that started in Hamburg, right?
(17) A: Yes.
(18) Q: And you were heading for Port
(19) Elizabeth in New York; is that correct?
(20) A: Yes.
(21) Q: Before sailing, before the vessel
(22) left Hamburg, did you, see, at all make an
(23) inspection of the outside of the vessel, the hull,
(24) walk around the ship?
(25) A: No.

September 12, 2007

THE M/V NORASIA

Page 16

A. Calimanescu

- [1] *A. Calimanescu*
 [2] Q: Do you know if anybody did?
 [3] A: I don't know.
 [4] Q: All right. All right.
 [5] In leaving Hamburg, were there tugs
 [6] used? Do you know? I mean, if you have a
 [7] recollection, tell me; if you don't, let's not
 [8] guess.
 [9] A: I don't know.
 [10] Q: Okay. All right.
 [11] Now, the vessel — and you can now
 [12] refer in the logbook, arrived — you checked at
 [13] Port Elizabeth on the 23rd of May, 2004; is that
 [14] correct?
 [15] A: Yes.
 [16] Q: All right.
 [17] And are you aware, see, of an
 [18] investigation being conducted aboard the vessel on
 [19] that date? US Coast Guard?
 [20] A: Yes.
 [21] Q: Coast Guard people came aboard; is
 [22] that correct?
 [23] A: Correct.
 [24] Q: All right.
 [25] Did they speak to you, the Coast

Page 17

A. Calimanescu

- [1] *A. Calimanescu*
 [2] Guard people?
 [3] A: After talking with the captain.
 [4] Q: All right.
 [5] And no big talk with you, the Coast
 [6] Guard dealt with the captain is your recollection;
 [7] is that correct?
 [8] A: Yes.
 [9] Q: Now are you aware — were there
 [10] lawyers on board also, May 23rd at Port Elizabeth
 [11] as part of the investigation?
 [12] A: Yes.
 [13] Q: Can you name these lawyers? Did you
 [14] get their names, or is it entered any place?
 [15] A: It's Singleton.
 [16] Q: Did you speak to Mr. Singleton at
 [17] this time at Port Elizabeth?
 [18] A: After talking with the captain, all
 [19] the people, all the deck officers.
 [20] Q: We'll cut right through this,
 [21] Mr. Calimanescu. I want to know if whether or not
 [22] there was anything written down about — you know,
 [23] did you give a statement, did you give a writing
 [24] to Mr. Singleton?
 [25] A: I don't remember. I think, no.

Page 18

A. Calimanescu

- [1] *A. Calimanescu*
 [2] Q: All right. All right.
 [3] Now, do you know, did you see during
 [4] this investigation the Coast Guard and some other
 [5] people in the ship, including the captain, went in
 [6] a boat around the vessel?
 [7] A: No. I see the Coast Guard boat only
 [8] around the...
 [9] Q: All right. All right.
 [10] One of these small Coast Guard
 [11] boats; is that what you're talking about?
 [12] A: Yes. I saw on the pier going
 [13] forward.
 [14] Q: All right. I don't have a
 [15] picture — do you — did you observe — never mind
 [16] the boat now. Did you observe the condition of
 [17] the hull of the NORASIA ALYA at this time during
 [18] the investigation?
 [19] A: After everybody was going forward, I
 [20] go to look why is going forward. Everybody go
 [21] forward.
 [22] Q: Let me see what I'm looking at here,
 [23] it may make it hopefully clearer.
 [24] Now these are pictures and this was
 [25] marked Kowalewski No. 1. We used these with the

Page 19

A. Calimanescu

- [1] *A. Calimanescu*
 [2] captain when we took his deposition.
 [3] First of all, take a look at that.
 [4] Do you see the picture?
 [5] A: Yes.
 [6] Q: Can you identify that?
 [7] A: Yes, hull.
 [8] Q: Is that the NORASIA ALYA, the big
 [9] ship there sitting there?
 [10] A: Can be.
 [11] Q: Do you know who's that in the
 [12] picture, the man with his back to you? If you
 [13] know; don't guess.
 [14] A: I don't know.
 [15] Q: Okay. Now, Kowalewski No. 2, take a
 [16] look at this. All right.
 [17] Can you identify that as the forward
 [18] section of the hull of the NORASIA ALYA?
 [19] A: Can be.
 [20] Q: Color's the same?
 [21] A: Color is the same.
 [22] Q: Look at that.
 [23] A: Yes.
 [24] Q: And No. 3, take a look at that,
 [25] Chief. Now do you see that one?

ADRIAN CALMANESCU

September 12, 2007

 NYC (800) NYC-FINK
 STEPSKI v.
 THE M/V NORASIA
 [initials]

<p>Page 20</p> <p>(1) A. Calimanescu</p> <p>(2) A: Yes.</p> <p>(3) Q: Again, does that look like the front</p> <p>(4) of the NORASIA ALYA?</p> <p>(5) A: Color's the same.</p> <p>(6) Q: Now here's the question:</p> <p>(7) Do you see on that picture, I know</p> <p>(8) the colors the same and all that, there seems to</p> <p>(9) be kind of a — for lack of a better word —</p> <p>(10) A: Pointing.</p> <p>(11) Q: Yes, you got your finger on it.</p> <p>(12) A: A scrapping.</p> <p>(13) Q: A scraping, a scratch.</p> <p>(14) Now, do you recall if the NORASIA</p> <p>(15) ALYA had scratches on her hull like that at Port</p> <p>(16) Elizabeth?</p> <p>(17) A: I don't remember.</p> <p>(18) Q: If you know, at Hamburg, did the</p> <p>(19) NORASIA ALYA have scratches on the hull like shown</p> <p>(20) on picture No. 3?</p> <p>(21) A: I don't know.</p> <p>(22) Q: You don't know. All right.</p> <p>(23) At Port Elizabeth when you docked,</p> <p>(24) the NORASIA ALYA has bow thrusters; doesn't it?</p> <p>(25) A: Yes.</p>	<p>Page 21</p> <p>(1) A. Calimanescu</p> <p>(2) Q: At Port Elizabeth on the 23rd, were</p> <p>(3) the bow thrusters used to come alongside?</p> <p>(4) A: I don't remember.</p> <p>(5) Q: Do you remember whether or not there</p> <p>(6) were tugboats assisting the docking?</p> <p>(7) A: I don't.</p> <p>(8) Q: Go ahead, take a look at the</p> <p>(9) logbook.</p> <p>(10) Does that show us anything?</p> <p>(11) A: If it's —</p> <p>(12) Q: I understand that.</p> <p>(13) A: But I see nothing. No writing.</p> <p>(14) Q: Now, on the voyage from Hamburg to</p> <p>(15) Port Elizabeth, see, are you aware of any</p> <p>(16) incidents where the NORASIA ALYA struck something</p> <p>(17) in the water?</p> <p>(18) A: No.</p> <p>(19) Q: Now, I want to get some idea of your</p> <p>(20) general duties, not May 22nd, general duties on</p> <p>(21) the NORASIA ALYA.</p> <p>(22) As you said, under your license you</p> <p>(23) were a watch officer. And that was your position</p> <p>(24) on the NORASIA ALYA; was it not?</p> <p>(25) A: Yes, correct.</p>	<p>Page 22</p> <p>(1) A. Calimanescu</p> <p>(2) Q: Now, were you assigned to ship's office —</p> <p>(3) hours for your watch?</p> <p>(4) A: Yes, 8 to 12.</p> <p>(5) Q: And that would be what, I mean just</p> <p>(6) in the morning?</p> <p>(7) A: In the morning, 8 to 12.</p> <p>(8) Q: To noon?</p> <p>(9) A: To noon, and 2000 to 2400.</p> <p>(10) Q: Which is eight at night to midnight?</p> <p>(11) A: Yes.</p> <p>(12) Q: Now, during your watch hours, where would you be positioned?</p> <p>(13) A: On the bridge.</p> <p>(14) Q: Always on the bridge?</p> <p>(15) A: Always on the bridge.</p> <p>(16) Q: And your watch, 8 to 12, what were the other</p> <p>(17) people regularly assigned?</p> <p>(18) A: Helmsman.</p> <p>(19) Q: A helmsman?</p> <p>(20) A: Right.</p> <p>(21) Q: He's a seaman?</p> <p>(22) A: Seaman. AB. AB seaman.</p> <p>(23) Q: So under normal functions, from 800</p>
<p>Page 20 - Page 23 (8)</p>	<p>Page 23</p> <p>(1) A. Calimanescu</p> <p>(2) to 1200 would be the watch officer and that's you?</p> <p>(3) A: Yes.</p> <p>(4) Q: And a helmsman?</p> <p>(5) A: Yes.</p> <p>(6) Q: And what's the helmsman's regular job?</p> <p>(7) A: Lookout.</p> <p>(8) Q: Okay.</p> <p>(9) On the voyage from Hamburg to New York — I don't know whether this is a good question — but did you run on automatic pilot the whole time?</p> <p>(10) A: Yes.</p> <p>(11) Q: So what — when we say "the helmsman," he's not engaged in steering the vessel, correct?</p> <p>(12) A: No.</p> <p>(13) Q: You got her on automatic pilot?</p> <p>(14) A: Automatic pilot.</p> <p>(15) Q: And if an adjustment is made to the automatic pilot, is it going to be to alter course —</p> <p>(16) A: Yes.</p> <p>(17) Q: — do you know how that is done?</p> <p>(18) A: Yes.</p> <p>(19) Q: Would you do that if it was required?</p>	<p>Page 23</p> <p>(1) A. Calimanescu</p> <p>(2) to 1200 would be the watch officer and that's you?</p> <p>(3) A: Yes.</p> <p>(4) Q: And a helmsman?</p> <p>(5) A: Yes.</p> <p>(6) Q: And what's the helmsman's regular job?</p> <p>(7) A: Lookout.</p> <p>(8) Q: Okay.</p> <p>(9) On the voyage from Hamburg to New York — I don't know whether this is a good question — but did you run on automatic pilot the whole time?</p> <p>(10) A: Yes.</p> <p>(11) Q: So what — when we say "the helmsman," he's not engaged in steering the vessel, correct?</p> <p>(12) A: No.</p> <p>(13) Q: You got her on automatic pilot?</p> <p>(14) A: Automatic pilot.</p> <p>(15) Q: And if an adjustment is made to the automatic pilot, is it going to be to alter course —</p> <p>(16) A: Yes.</p> <p>(17) Q: — do you know how that is done?</p> <p>(18) A: Yes.</p> <p>(19) Q: Would you do that if it was required?</p>

Page 24

A. Calimanescu

[1] during your watch?
[2] A: Yes.
[3] Q: Tell me how that's done?
[4] A: Have automatic pilot, have the — in
[5] case of emergency, use the tiller, what have
[6] automatic knob, automatic knob.
[7] Q: I mean, we're talking and you're
[8] gesturing.
[9] A: Adjusting.
[10] Q: Something that you're showing that
[11] fits in your hand?
[12] A: Yes.
[13] Q: Small like?
[14] A: No, one wheel. Small knob. You
[15] turn to the left or the right.
[16] Q: So it can be done by hand, not
[17] talking about the great big wheel that we used to
[18] see?
[19] A: Right.
[20] Q: So to make the adjustment, you will
[21] handle that knob, that wheel, turn it.
[22] Now, how — is there a read out some
[23] place there in the area that's showing you your
[24] course?
[25]

Page 25

A. Calimanescu

[1] A: Yes.
[2] Q: And that will show it in numbers,
[3] right?
[4] A: Yes.
[5] Q: Now, to alter course as we're
[6] talking about, the vessel remains on automatic
[7] pilot?
[8] A: Yes.
[9] Q: But with this device you've
[10] described to us, see, the watch officer, see, can
[11] just move this, and I assume you wait until the
[12] numbers comes up that you want you look at your
[13] screen?
[14] A: No.
[15] Q: How do you tell when you get to —
[16] A: The automatic pilot have two
[17] screens; one to set, and one to show the heading.
[18] You set a new course and automatic — the vessel
[19] is turning automatic to the new sailing on the new
[20] course.
[21] Q: That's all I'm trying to get: Is
[22] you have to — you're going to decide that you're
[23] going to alter course a few points, right?
[24] A: It's on the voyage planning.
[25]

Page 26

A. Calimanescu

[1] Q: Oh, it's on the voyage planning?
[2] A: When need to alter, the course has
[3] the waypoint to alter the course to the new
[4] course, and this point we alter the course to the
[5] new setting.
[6] Q: That's done, the altering of the
[7] course, see, is done, as you've already explained,
[8] with this — just this wheel. Watch officer on
[9] deck does something?
[10] A: Yes.
[11] Q: All I'm saying is, you turn the
[12] wheel somewhat, right?
[13] A: Yes.
[14] Q: All I'm trying to say, is there
[15] something on the wheel or some kind of read out in
[16] front of you that you can see when you've gotten
[17] to the course you want?
[18] If you're on heading, just pick an
[19] easy one, on a heading of a hundred degrees —
[20] A: Yes.
[21] Q: — you want to go to a hundred
[22] ten —
[23] A: Yes.
[24] Q: — you're going to change the wheel?
[25]

Page 27

A. Calimanescu

[1] A: Yes.
[2] Q: How do you know when you got to the
[3] hundred ten?
[4] A: The finger is coming to a hundred
[5] ten. You alter the course, the setting, the new
[6] course 110, and the rudder is moving and coming to
[7] the new course and the rudder is responding the
[8] midship.
[9] Q: And I'm just trying to say —
[10] A: It's indicated.
[11] Q: So you watch the indicator, you get
[12] where you want to go and then you just keep going?
[13] A: Yes.
[14] Q: And that ship will remain on that
[15] new course until you make another adjustment?
[16] A: Yes.
[17] Q: And as you've said, if I understand
[18] you correctly, this is all done by the watch
[19] officer, you don't have to have the helmsman
[20] involved or anything; is that right?
[21] A: For the lookout.
[22] Q: No, no, in altering the course.
[23] A: No.
[24] Q: You, the watch officer, by just
[25]

ADRIAN CALMANESCU

September 12, 2007

STEP 1

THE M/V NO. RASIA

Page 28

Page 30

(1) A. Calimanescu
 (2) making the turn and seeing when you got on your
 (3) heading, you do that by yourself with this simple
 (4) maneuver?
 (5) A: Yes.
 (6) Q: Now, you mentioned the — the
 (7) helmsman, see, and you keep saying also he's the
 (8) lookout.
 (9) A: Lookout.
 (10) Q: Does he have any other functions?
 (11) A: Case of emergency, hand steering.
 (12) In emergency, hand steering.
 (13) Q: So he is the man, if you go to hand
 (14) steering —
 (15) A: Take the hand steering.
 (16) Q: You will not, the watch officer will
 (17) not take the hand steering, you got the helmsman
 (18) for that purpose?
 (19) A: For this purpose, yes.
 (20) Q: So we got during at least the 0800
 (21) to 1200 watch, normal make up on the bridge on
 (22) this ship would be you, third officer —
 (23) A: Yes.
 (24) Q: — and an AB.
 (25) Who was the AB; do you remember?

Page 29

Page 31

(1) A. Calimanescu
 (2) A: Same guy all the time. Monthly it's
 (3) changed.
 (4) Q: It changes?
 (5) A: Monthly.
 (6) Q: But 0800 — 0800 to 1200 you were
 (7) always the watch officer?
 (8) A: Correct.
 (9) Q: And you have an AB up there but he
 (10) could be a different fellow?
 (11) A: Yes.
 (12) Q: Now from — let me ask you this:
 (13) You're heading into New York, had
 (14) you been been in New York, the Port of New York
 (15) before this?
 (16) A: Yes.
 (17) Q: And you can check the logbook if you
 (18) need. On the 22nd of May, all right, say from
 (19) about — we'll just pick when you came on — at
 (20) 0800 was the vessel in a safety free way —
 (21) fairway?
 (22) A: Yes.
 (23) Q: What is that safety fairway?
 (24) A: It's a traffic separation special to
 (25) reach Ambrose light house.

(1) A. Calimanescu
 (2) Q: I mean by coordinates it's marked?
 (3) A: It's marked.
 (4) Q: So that a vessel sailing by checking
 (5) the coordinates you stay in the inbound lane when
 (6) you're heading for Ambrose, right?
 (7) A: Yes.
 (8) Q: When you say it's a safety fairway,
 (9) all inbound traffic is in one lane, correct?
 (10) A: In and out another lane.
 (11) Q: All right. But what I'm saying,
 (12) there is a lane for inbound and there's another
 (13) lane for outbound?
 (14) A: Outbound.
 (15) Q: You don't have one lane with ships
 (16) just going around?
 (17) A: No.
 (18) Q: — all the same way?
 (19) Now, normally, is there any
 (20) requirement for a vessel to use the safety fairway
 (21) coming into New York?
 (22) A: I don't remember.
 (23) Q: I mean, Coast Guard regulation,
 (24) that's what I want to know first of all.
 (25) Do you know if there are any US

(1) A. Calimanescu
 (2) regulations —
 (3) A: Yes.
 (4) Q: — requiring a vessel under ordinary
 (5) circumstances — I'm not talking about emergency,
 (6) under ordinary circumstances — to use the safety
 (7) fairway to enter the port to go to Ambrose?
 (8) A: I don't know. Don't remember.
 (9) Q: All right.
 (10) Now, how many times before this were
 (11) you in the Port of New York?
 (12) A: For one time.
 (13) Q: Just one time.
 (14) Were you familiar at all with the
 (15) volume of traffic? You know, how many ships use
 (16) these fairways into New York?
 (17) A: No.
 (18) Q: Were you familiar with whether or
 (19) not there were any fishing grounds alongside of
 (20) the fairway at certain spots? I'm not saying all
 (21) the way, I'm saying at certain spots would you
 (22) pass through fishing grounds?
 (23) A: No.
 (24) Q: No, or you don't know?
 (25) A: I don't know.

THE M/V NORASIA

FINK

Min-U-Script

(11) September 13, 2007

Page 32

Page 34

(1) A. Calimanescu
 (2) Q: I have here, I'm not going to go
 (3) through it, just kind of give you what I'm talking
 (4) about, a book that Mr. Gargan gave me, because I
 (5) didn't know what I was talking about, he said
 (6) there's a book called "The Coast Pilot," he showed
 (7) me. I'm just showing it to you.
 (8) Are you familiar with this kind of information book?
 (9)
 (10) A: Not of this, no.
 (11) Q: Not this one, but I said are you familiar with this type of book that supplies
 (12) familiar with this type of book that supplies
 (13) mariners with —
 (14) A: Yes, we have
 (15) Q: — local information?
 (16) A: Yes.
 (17) Q: What book are you familiar with?
 (18) A: Have on board a list of radio signals. I have all the books and the public —
 (19) US publication.
 (20) Q: Can you identify? Do you know, does
 (21) that identify for you? Can you give me the name?
 (22) Can you identify this publication, this book I
 (23) guess we call it, that you had on the NORASIA ALYA
 (24) that would give you local information?
 (25)

b7d 33

Page 33

(1) A. Calimanescu
 (2) A: By name, no.
 (3) Q: Sailing —
 (4) A: Sailing direction. Pilot Book
 (5) Sailing Direction.
 (6) Q: Sailing Direction Pilot Book
 (7) That's all I'm trying to get, generally speaking
 (8) now.
 (9) On the NORASIA ALYA, on this voyage
 (10) then, there was some kind of Sailing Directions
 (11) Pilot Book?
 (12) A: Yes.
 (13) Q: And there was a Sailing Direction book covering the Port
 (14) Pilot Book for information about entering the Port
 (15) of New York?
 (16) A: Yes.
 (17) Q: And was that kept on the bridge? Do
 (18) you know? Where was it? Was it available?
 (19) A: What?
 (20) Q: Let me withdraw the question.
 (21) We're talking about it — we'll just
 (22) call it the sailing directions book. Now, you
 (23) told me there was one on the NORASIA ALYA.
 (24) Was it available to the —
 (25) A: Yes.

(1) Q: Did you personally now, at any time,
 (2) see, on the voyage from Hamburg, look at the
 (3) sailing directions book for information as to
 (4) local conditions entering the Port of New York?
 (5) A: Yes.
 (6) Q: Did you see anything in there? What
 (7) I'm trying to get is fishing. Did you see any
 (8) information in there about areas where fishing
 (9) vessels could be found?
 (10) A: I don't remember.
 (11) Q: You don't remember.
 (12) Did anybody tell you — let me
 (13) withdraw that.
 (14) V: To come on bridge on the
 (15) Did the captain ever tell you
 (16) specifically that at certain points you would be
 (17) going through fishing areas?
 (18) Q: Did the captain ever tell you?
 (19) A: Yes.
 (20) Q: He did tell you that?
 (21) A: Yes.
 (22) Q: That's all I'm asking about.
 (23) So as far as you know, the captain
 (24) was aware that in approaching Ambrose you might be
 (25) going past fishing areas?

b7d 32

Page 35

(1) A. Calimanescu
 (2) Q: Did he give you any specific
 (3) instructions as to what you should do when you
 (4) were in the safety fairway near fishing areas?
 (5) A: To call him to come on bridge on the
 (6) entrance of the safety fairway.
 (7) Q: All right.
 (8) Now, as — now, I'm still jumping
 (9) around about general stuff now so...
 (10) The logbook that you and I are now
 (11) looking at together, if you look at — and this is
 (12) just for the — I want you to tell me the general
 (13) procedure for keeping the logbook, and we can look
 (14) at the May 23rd date, if I can find it. That's at
 (15) the beginning, isn't it?
 (16) MR. WIEGEL: The May 23rd is
 (17) daily pages starting with page 4.
 (18) MR. HEALEY: All right.
 (19) Q: Are you with me?
 (20) A: Yes.
 (21) Q: What I'm looking at is the deck
 (22) logbook, and it normally is two pages. And I've

Page 36

A. Calmanescu

(1) got the one that has the date Saturday 22 May,
 (2) 2004.
 (3) Are you with me?
 (4) A: Yes.
 (5) Q: Now again, just generally speaking,
 (6) see, there is — oh, here — on what is numbered
 (7) page 3, there is a section, as I check the time,
 (8) that covers 0800 to noon.
 (9) A: 800, yes.
 (10) Q: That would be when you were on?
 (11) A: Yes.
 (12) Q: Okay.
 (13) Now, there was some entries in
 (14) there. Who made those entries on the 0800 to 12?
 (15) A: Me.
 (16) Q: You.
 (17) Now, is that the normal practice —
 (18) A: Yes.
 (19) Q: — that the watch officer would make
 (20) the entries for events during his duty time?
 (21) A: Only the watch officer.
 (22) Q: Only the watch officer.
 (23) Q: Now, you told me again generally, so
 (24) don't look at page 22 at this time.
 (25)

Page 37

A. Calmanescu

(1) But were there any standing orders,
 (2) captain's orders, ship's orders, as to certain
 (3) entries that should be made if the vessel is in
 (4) restricted visibility, fog? Should — was it to
 (5) be noted by the watch officer — first of all, the
 (6) visibility?
 (7) A: Visibility.
 (8) Q: And was it also required, see, if
 (9) the visibility dropped to a very low point?
 (10) A: Yes, 4 miles to call the captain.
 (11) Q: And I note in here, and was it also
 (12) required that the watch officer should log bad
 (13) visibility, and he should log master notified, all
 (14) right?
 (15) Those were standing orders?
 (16) A: Yes.
 (17) Q: And is it correct and I have — you
 (18) don't have to go on this, I'm just helping myself.
 (19) I note during area and times of bad
 (20) visibility that the watch officer would note the
 (21) lookout situation. There are entries made, see,
 (22) there is a lookout posted at the fo'c'sle.
 (23) MR. WIEGEL: Object to form.
 (24) MR. HEALEY: What?
 (25)

Page 38

A. Calmanescu

(1) MR. WIEGEL: Object to form.
 (2) Q: At times there are entries in your
 (3) logbook as to where lookouts are posted; are you
 (4) aware of that?
 (5) If you don't understand, tell me.
 (6) MR. WIEGEL: Object to the
 (7) form.
 (8) Which question would you like
 (9) him to answer? There's two questions.
 (10) You asked him — he hasn't given an
 (11) answer to either one.
 (12) MR. HEALEY: Maybe I should
 (13) withdraw them both and start again.
 (14) MR. WIEGEL: Okay.
 (15) Q: Go to the logbook for 16 June, and
 (16) again, I believe it's your watch 0800?
 (17) A: Yes.
 (18) Q: Those are your entries?
 (19) A: Yes.
 (20) Q: You have here "restricted
 (21) visibility," correct?
 (22) A: Yes.
 (23) Q: Master on the bridge?
 (24) A: Yes.
 (25)

Page 39

A. Calmanescu

(1) Q: You've already told me, see, your
 (2) regular standard practice for keeping the logbook
 (3) you were supposed to enter those things —
 (4) A: Yes.
 (5) Q: — and you did.
 (6) That's what you're supposed to do.
 (7) And you also have noted in here,
 (8) see, something about your fog signal automatic
 (9) set.
 (10) Do you see that?
 (11) A: Yes.
 (12) Q: Read it to me?
 (13) A: Yes. Sound fog signal on automatic
 (14) mode.
 (15) Q: All right. And all I'm getting at,
 (16) see, this was the standard practice for keeping
 (17) the log. That you're going to put your automatic
 (18) fog signal on. The watch officer would note it;
 (19) is that correct?
 (20) A: It's not in the standing order.
 (21) MR. WIEGEL: Object to the
 (22) form.
 (23) Go ahead, you can answer.
 (24) A: It's not in the standing order.
 (25)

Page 40

A. Calmanescu

(1) Q: Was it the regular practice that
 (2) you, keeping the logbook, see, to note if the
 (3) automatic fog signal was activated?
 (4) A: Can be normal.
 (5) Q: Well, let's say your practice. If
 (6) during your watch, see, bad visibility, master
 (7) comes up, master tells you, activate the fog
 (8) signal, right?
 (9) A: Yes.
 (10) Q: Was it your regular practice to
 (11) enter that in the logbook?
 (12) A: It is normal procedure in the
 (13) restricted visibility, start the fog signal,
 (14) inform the master and additional lookout. This is
 (15) normal procedure.
 (16) Q: All right, I understand.
 (17) A: No need to write.
 (18) Q: I think I understand you.
 (19) What you're saying, your procedure
 (20) in restricted visibility, your regular procedure,
 (21) notify the master —
 (22) A: Yes.
 (23) Q: — activate the fog signal —
 (24) A: Signal.
 (25)

Page 41

A. Calmanescu

(1) Q: — and post —
 (2) A: Lookout.
 (3) Q: — post appropriate lookout.
 (4) A: Change the radar range. It's normal
 (5) procedure.
 (6) Q: I understand that in restricted
 (7) visibility you tell me when it's normal procedure.
 (8) And if you understand what I'm
 (9) saying, and was it also normal procedure to note
 (10) in the logbook that you had done these things?
 (11) And we're looking still just, if you know what I'm
 (12) talking about, 16 June entries?
 (13) A: Yes.
 (14) Q: In there, see Mr. Calmanescu, you
 (15) have noted all those things. You've noted the
 (16) master notified, right? You had noted that the
 (17) fog signal is activated. You have noted that
 (18) lookouts are posted. You've told me that's the —
 (19) your normal procedure in restricted visibility to
 (20) do those things. I understand you.
 (21) Now, you understand what I'm saying,
 (22) one more thing, and was it also normal procedure
 (23) on the NORASIA ALYA to make entries in the logbook
 (24) that you had done what you're supposed to do?
 (25)

Page 42

A. Calmanescu

(1) A: It's not right to be compulsory to
 (2) write it.
 (3) Q: I understand that. I didn't say
 (4) compulsion. I'm saying was it your normal
 (5) procedure, I mean would you usually put it in the
 (6) logbook that those things were done?
 (7) A: Usually, yes..
 (8) Q: Do you know whether other watch
 (9) standers would follow the same — let me withdraw
 (10) that.
 (11) This procedure that you just told us
 (12) about, notify the captain, fog horn, lookouts,
 (13) see, that wasn't just you, that was the standing
 (14) orders on the ship; wasn't it?
 (15) A: Yes. This is —
 (16) Q: Every watch officer was required to
 (17) do the same thing?
 (18) A: Yes.
 (19) Q: So every watch officer would be
 (20) required to tell the captain, right?
 (21) A: Yes.
 (22) Q: Automate the fog horn?
 (23) A: Yes.
 (24) Q: Get proper lookouts?
 (25)

Page 43

A. Calmanescu

(1) A: Yes.
 (2) Q: See, and again I know it's not
 (3) compulsory, but I'm saying do you know whether the
 (4) other watch standers would also make, you know, as
 (5) part of their regular practice, entries in the
 (6) logbook that it was done?
 (7) A: I don't know.
 (8) Q: Okay. Okay.
 (9) Now, we'll look again May 23rd. I'm
 (10) going back to that date again.
 (11) MR. WIEGEL: You said May 23?
 (12) Did I hear you correctly.
 (13) MR. HEALEY: Yes, you did and
 (14) I was wrong. So go to May 22nd.
 (15) MR. WIEGEL: May 22. Okay.
 (16) Q: Now, again, on that date there's an
 (17) entry in there at 0430 concerning second officer
 (18) Jankowski. Do you see that? 0430?
 (19) A: Yes.
 (20) Q: See what I'm getting, that's 0430,
 (21) that's not your watch.
 (22) A: No.
 (23) Q: Were you on the bridge at all during
 (24) this incident?
 (25)

ADRIAN CALMANESCU
September 12, 2007

STEPSKI v.
THE M/V NORASIA

Page 44

A. Calmanescu

(1) A: I was not on the bridge.
(2) Q: Okay.
(3) There's an 0430 entry that says,
(4) "Second officer Jankowski during the watch was
(5) facing restricted visibility," et cetera, et
(6) cetera.
(7) Who put that entry in there; do you
(8) know?
(9) A: Captain.
(10) Q: Okay. That's the captain's entry.
(11) And you you came on at 0800?
(12) A: Yes.
(13) Q: With a helmsman?
(14) A: I was on the bridge. Was on the
(15) bridge helmsman.
(16) Q: You came with the helmsman?
(17) A: Yes.
(18) Q: Now, when you came on the bridge at
(19) 0800, see, was the captain there?
(20) A: Yes.
(21) Q: Was the helmsman —
(22) A: Yes.
(23) Q: — discharged at some point while
(24) the captain was there?
(25)

Page 45

A. Calmanescu

(1) A: Captain?
(2) Q: Captain Kowalewski's testimony, as
(3) best I recall, we can check it, was that from 0800
(4) on there were only two people on the bridge, see,
(5) the watch officer and himself.
(6) Is that your recollection that from
(7) 0800 to 1200 the helmsman had been discharged and
(8) it was just you and the captain?
(9) A: I don't remember.
(10) Q: Okay.
(11) Again, looking at May 22nd, see,
(12) there are — there's a heading, see?
(13) A: Yes.
(14) Q: Printed in the logbook says
(15) "Lookout". Do you see it?
(16) A: Lookout, yes.
(17) MR. WIEGEL: For the record,
(18) Mr. Healey is referring to column 21
(19) in the logbook that says "Lookout" so
(20) it's clear.
(21) MR. HEALEY: Yeah, you're
(22) right. I couldn't read that number,
(23) frankly, until you told me about it.
(24) Q: Column 21 says "Lookout".
(25)

Page 46

A. Calmanescu

(1) Okay, now in column 21, see, from
(2) the midnight to four, there's a name there. It
(3) says it looks like AB —
(4) A: Fellas.
(5) MR. WIEGEL: F-E-L-I-A-S.
(6) Q: He was the lookout.
(7) You see also the helmsman during
(8) that watch, midnight to four in the morning?
(9) A: Helmsman.
(10) Q: That's what I said. He was —
(11) A: Helmsman.
(12) Q: He was the helmsman and the lookout.
(13) Now, I see then again now under
(14) column 21, in fact, it spreads over into column 22
(15) there's another name for a lookout, it says "DC,"
(16) is that deck cadet?
(17) A: Yes.
(18) Q: And that's that German name?
(19) MR. WIEGEL: I'll spell it,
(20) V-O-E-L-C-H-N-E-R.
(21) Q: So he is listed in there as the
(22) watch officer and that's from 4 to 8. He writes
(23) in the lookout.
(24) Who is that watch officer; do you
(25)

Page 47

A. Calmanescu

(1) know?
(2) A: Chief mate.
(3) Q: And the next — and the next bit of
(4) entries here are your watch?
(5) A: Yes.
(6) Q: No lookout is listed?
(7) A: That means no lookout.
(8) Q: So there wasn't any lookout assigned
(9) at this point.
(10) A: Yes, correct.
(11) Q: Now, what I'm asking, if you don't
(12) remember, I don't want you to guess.
(13) After we've gone all over this, is
(14) it — do you remember that the only two people on
(15) the bridge from 0800 to noon, 1200, were you, the
(16) watch officer, and Captain Kowalewski?
(17) A: I don't remember.
(18) Q: You don't remember.
(19) Now, the captain logged second
(20) officer Jankowski for failing to call him to the
(21) bridge, correct?
(22) A: Correct.
(23) Q: The general procedure on this
(24) NORASIA ALYA when you got into bad visibility you
(25)

Page 48

A. Calmanescu

(1) had to call the captain?
 (2) A: Correct.
 (3) Q: And the reason was because bad
 (4) visibility can create certain dangers?
 (5) A: Correct.
 (6) Q: And you need the captain there, see,
 (7) to tell you what to do in a dangerous situation,
 (8) correct?
 (9) A: Correct.
 (10) Q: And when you came up on your watch
 (11) at 0800, see, and it's noted in here, there was
 (12) still a dangerous situation, correct?
 (13) A: Correct.
 (14) Q: The visibility was, and I have
 (15) trouble reading the numbers, but it just says
 (16) "restricted visibility." You take a look.
 (17) Did you ever estimate how far the
 (18) visibility was?
 (19) A: Less 0.1 nautical miles.
 (20) Q: 0.1. And that is very restricted
 (21) visibility; isn't it?
 (22) A: Of course.
 (23) Q: And proceeding through visibility,
 (24) If you don't know now, listen, I'm not asking you

Page 49

A. Calmanescu

(1) to guess, but as a mariner with a license, you
 (2) sail, proceeding in that kind of visibility
 (3) creates certain dangers that have to be taken
 (4) care of; don't they?
 (5) A: Correct.
 (6) Q: When the captain came up, what was
 (7) the speed of the vessel, the NORASIA ALYA?
 (8) MR. WIEGEL: Object to form.
 (9) MR. HEALEY: Let me correct
 (10) it.
 (11) MR. WIEGEL: He wasn't on the
 (12) bridge.
 (13) Go off the record.
 (14) MR. HEALEY: Fair enough.
 (15) (Discussion off the record.)
 (16) BY MR. HEALEY:
 (17) Q: At 0800 when you came on your watch,
 (18) see, what was the speed of the NORASIA ALYA?
 (19) A: According to the IS, 22 knots.
 (20) Q: And — what is generally the top
 (21) speed of the NORASIA ALYA?
 (22) A: Twenty-four knots.
 (23) Q: All right.
 (24) And did the captain issue — first

Page 50

A. Calmanescu

(1) of all, did the captain while he was there do
 (2) anything to alter the speed of the NORASIA ALYA?
 (3) A: Not with a reason.
 (4) Q: Well, did he or did he not? Did he
 (5) go faster or did you slow down?
 (6) A: Not alteration. Maintain the speed.
 (7) Q: Just kept going at 22 knots?
 (8) A: Yes.
 (9) Q: That's all I'm asking.
 (10) So you understand, I'm not asking
 (11) you to tell me why or what, we're just trying to
 (12) find out the simple facts.
 (13) A: Yes.
 (14) Q: You came on at 0800, the vessel's
 (15) going 22 knots?
 (16) A: Correct.
 (17) Q: For four hours it kept going at
 (18) 22 knots?
 (19) A: Correct.
 (20) Q: All right. I'm not asking you to
 (21) second guess the captain, all I'm trying to say is
 (22) for your entire watch the vessel continued at
 (23) 22 knots?
 (24) A: Correct.

Page 51

A. Calmanescu

(1) Q: During your entire watch, 0800 to
 (2) noon, see, the visibility remained restricted
 (3) almost one point whatever you had here?
 (4) MR. GARGAN: .1 nautical
 (5) miles.
 (6) Q: .1 nautical miles; is that correct?
 (7) A: Correct.
 (8) Q: Is there any entry in your logbook,
 (9) your watch 0800 to noon, that the automatic fog
 (10) signal was activated?
 (11) A: When I come on bridge, it was
 (12) already activated.
 (13) Q: Is there any entry any where in the
 (14) log for 22 May, see, that it —
 (15) A: No.
 (16) Q: — the automatic fog signal had been
 (17) activated?
 (18) A: No.
 (19) Q: Was the automatic — listen, was the
 (20) automatic fog signal just constantly going?
 (21) When the vessel is sailing normally
 (22) and you're not in restricted weather, this fog
 (23) signal, you don't activate it; do you?
 (24) A: We activate it on the restricted

ADRIAN CALMANESCU
September 12, 2007

STEPSKI v.
THE M/V NORASIA

Page 52

(1) *A. Calmanescu*
(2) visibility.
(3) Q: And aside from yourself and the
(4) captain then, nobody had been assigned 8 to 12, by
(5) either yourself or the master to act as a lookout
(6) throughout on the bridge wing; is that correct?
(7) MR. WIEGEL: Asked and
(8) answered.
(9) A: Bridge?
(10) Q: Let me withdraw it.
(11) Was there a lookout during your
(12) watch, 0800 to noon on the 22nd of May, posted up
(13) in the fo'c'sle?
(14) A: I don't remember.
(15) Q: Look through your logbook and see if
(16) there's anything.
(17) A: No.
(18) Q: There's no indication?
(19) A: No.
(20) Q: Now, was there access to radar on
(21) the bridge?
(22) A: Yes.
(23) Q: During your watch, the morning
(24) watch, 8 to 12, was anybody monitoring the NORASIA
(25) ALYA's radar?

Page 53

(1) *A. Calmanescu*
(2) A: Captain one, me one.
(3) Q: There were two sets you're telling
(4) me?
(5) A: Two radar.
(6) Q: Two radar.
(7) And you say you monitored one and
(8) the captain monitored one. Okay.
(9) Tell me your procedure, your
(10) procedure in monitoring; what would you do to
(11) monitor your set?
(12) MR. WIEGEL: You mean the
(13) radar?
(14) MR. HEALEY: Yes.
(15) MR. WIEGEL: Okay.
(16) A: Okay. Change the — change the
(17) range to 30-mile to check if it's something on the
(18) 12 miles in front of us, and after that you reduce
(19) it from 3 to 6 miles to see closer to us.
(20) Plotting the vessels around us, the target, which
(21) is around the vessel, not behind.
(22) And all the time discussing with the
(23) captain the situation which I have on the radar
(24) and compare with his radar. He's monitoring his
(25) radar, I'm monitoring mine.

Page 54

(1) *A. Calmanescu*
(2) Q: At some — your 8 to 12, during that
(3) period of time, there was no change of course; was
(4) that correct?
(5) A: There was one change to 22 degrees.
(6) Was in the traffic — in the traffic separation
(7) only two degrees, 270 to 268.
(8) Q: You have it on there?
(9) A: Yes.
(10) Q: What time was that change made?
(11) A: 0843.
(12) Q: All right.
(13) And what was the reason for that?
(14) A: This is was on the voyage planning.
(15) Q: It was on the voyage planning?
(16) A: On the voyage planning, yes.
(17) Q: Now at noon, your — you finished
(18) your morning watch; is that correct?
(19) A: Correct.
(20) Q: And you were relieved?
(21) A: Yes.
(22) Q: All right. Who took over as watch
(23) officer?
(24) A: Second officer.
(25) Q: Second officer. Okay.

Page 55

(1) *A. Calmanescu*
(2) And you left the bridge?
(3) A: Yes, I go home.
(4) Q: That's what I was trying to find
(5) out.
(6) At some point you left the bridge?
(7) A: It was time to go off the bridge,
(8) take over, I go down.
(9) Q: All right. All right.
(10) When the second officer came over to
(11) take over, the captain is still on the bridge?
(12) A: Yes.
(13) Q: Anybody else then except at the time
(14) of the change of the watch, you the second officer
(15) and the master; anybody else?
(16) A: I don't remember.
(17) Q: All right.
(18) What did you do then from after
(19) being relieved?
(20) A: I go down to lunch, change, and
(21) lunch, and starting some normal procedures.
(22) Q: All right. So you go to lunch.
(23) Now, is that the regular meal time?
(24) A: Yes.
(25) Q: From 1130 to?

Page 56

A. Calmanescu

- (1)
(2) A: To 1:00.
(3) Q: When you went to lunch, all right,
(4) you had a regular officer's mess hall there?
(5) A: Yes.
(6) Q: Who else was there when you had
(7) lunch; do you know?
(8) A: The officers.
(9) Q: All the officers?
(10) A: I don't remember.
(11) MR. WIEGEL: Object to form.
(12) MR. HEALEY: I'm not going to
(13) leave it hanging.
(14) Q: All the officers?
(15) A: I don't — which officers.
(16) Q: That's all.
(17) Because I wanted to know, see, look,
(18) you're down there, there were other officers down
(19) there —
(20) A: Yes.
(21) Q: — and are you able to tell me the
(22) names of the others?
(23) A: I don't remember how many.
(24) Q: Now, let me jump back a minute.
(25) During your watch, you know, 8 to

Page 57

A. Calmanescu

- (1) noon, were the deck department, anybody from the
(2) deck department, seaman, working on the deck?
(3) A: Yes. On the deck. The main deck.
(4) Q: On the open deck, the main deck.
(5) A: Yes.
(6) Q: Who?
(7) A: All the deck crew.
(8) Q: How many? You had a bosun out with
(9) them?
(10) A: Bosun and all the deck crew, six.
(11) Q: Six guys.
(12) What were they doing?
(13) A: Probably on all. All the people.
(14) Q: You do know the bosun and some of
(15) the deck crew were working on the deck in front of
(16) the bridge.
(17) A: The bridge is on the fifth floor.
(18) Q: No, no, I'm saying they were on the
(19) main deck forward of you.
(20) A: I don't know. Normal procedure,
(21) 6:00 is going to work on the deck.
(22) Q: Okay. All right. All right.
(23) So you don't have any specific
(24) recollection, you're telling me what is the normal
(25)

Page 58

A. Calmanescu

- (1) procedure?
(2) A: Chief mate have the schedule for the
(3) guy where he's working and what he's working.
(4) Q: All right.
(5) And you see the — the claim that
(6) we're making is that something occurred during the
(7) watch after yours, okay? And I just want to know,
(8) that's why I'm asking you, where you were and what
(9) you were doing, see, after noon.
(10) A: Yes.
(11) Q: And you told me you went and you had
(12) your lunch, your meal, right?
(13) A: Yes.
(14) Q: Were you on the deck — that's what
(15) I'm trying to find out. Were you on the deck
(16) during this period of time? Let's just make it
(17) short. From noon 'til 3, can you tell me where
(18) you were and what you were doing on the 22nd of
(19) May?
(20) A: I cannot. Exactly. I cannot
(21) exactly.
(22) Q: All right.
(23) Do you remember where you were?
(24) A: 'Til 1:00 I was in my cabin.
(25)

Page 59

A. Calmanescu

- (1) Q: Okay. Okay.
(2) A: After 1:00, I was going to make some
(3) safety inspection or preparing for the audit, this
(4) time some audit.
(5) Q: Is it fair to say from about noon
(6) when your watch was over 'til about 1 —
(7) A: All the time —
(8) Q: — you had your meal and then you
(9) went to your cabin?
(10) A: Yes.
(11) Q: And after that you said you would —
(12) about some other duties, the safety inspection?
(13) A: Yes.
(14) Q: Now, at any time on the 22nd of May,
(15) see, did you get any information or hear anything
(16) about an urgent Coast Guard message being received
(17) by the NORASIA ALYA?
(18) A: I don't remember on 22nd what
(19) urgency message I saw.
(20) Q: Are you aware of the fact that —
(21) A: In the night. But in the night.
(22) Q: Okay. I'm not clear. Let me
(23) suggest this to you:
(24) That Captain Kowalewski has
(25)

ADRIAN CALMANESCU

September 12, 2007

STEPSKI v.
THE M/V NORASIA

Page 60

(1) *A. Calmanescu*
 (2) testified that at some point in the afternoon —
 (3) I'm not going to guess the time — he did receive
 (4) an urgent message from the Coast Guard concerning
 (5) their receipt of an EPIRB. You know what an EPIRB
 (6) is; don't you?
 (7) A: Yes.
 (8) Q: Did you learn anything about the
 (9) receipt of that urgent message on the afternoon of
 (10) May 22nd?
 (11) A: No, I was free.
 (12) Q: At any point on the 22nd of May,
 (13) this is after noon, did you learn anything at all,
 (14) did anybody speak to you at all —
 (15) A: No.
 (16) Q: — about the — let me finish now —
 (17) about this urgent Coast Guard message concerning
 (18) an EPIRB?
 (19) A: No.
 (20) Q: At some point, see, did you learn
 (21) anything that the vessel had received this Coast
 (22) Guard message?
 (23) A: We received one AGC message —
 (24) Q: That's —
 (25) A: — on the Sat C.

Page 61

(1) *A. Calmanescu*
 (2) Q: This is the next day?
 (3) A: I don't — sometime in the night. I
 (4) don't remember.
 (5) Q: Sometime in the night.
 (6) A: Yes.
 (7) Q: Now, say that again for me, what
 (8) kind of message?
 (9) A: AGC on the Sat C.
 (10) MR. WIEGEL: I'll clarify.
 (11) AGC, alpha, golf, Charlie, on the sat
 (12) S-A-T letter C.
 (13) A: From the telex and the —
 (14) Q: Sat C we'll call it.
 (15) This message you say sometime in the
 (16) night; is that correct?
 (17) A: Yes. Darkness. Night.
 (18) Q: Do you know whether it was still on
 (19) the 22nd, the night of the 22nd, if you know?
 (20) A: I don't know.
 (21) Q: Did you actually see — well, let me
 (22) withdraw that.
 (23) Was this message copied down? Was
 (24) it in some form that it could be read?
 (25) A: Correct. Correct.

Page 62

(1) *A. Calmanescu*
 (2) Q: And on board the NORASIA ALYA at
 (3) this time, is a record made of all messages
 (4) received by the vessel, by Sat C, or even by UHF
 (5) radio, is a record made?
 (6) A: Second mate job.
 (7) Q: Okay.
 (8) A: All the message have to be recorded.
 (9) Q: I see. That's the second mate's
 (10) job.
 (11) So if he receives a radio message,
 (12) such as an urgent Coast Guard message it's his
 (13) job — what is his job, to write it down?
 (14) A: Radio logbook. Have the radio
 (15) logbook.
 (16) Q: Radio logbook. All right.
 (17) So did you ever look any time at the
 (18) NORASIA ALYA's radio logbook to see whether the —
 (19) an urgent message from the Coast Guard was entered —
 (20) in there?
 (21) A: Sometime. Yes.
 (22) Q: All right.
 (23) So in the NORASIA ALYA's radio
 (24) logbook — be clear, I don't want to confuse
 (25) you — are you telling us that you did see the

Page 63

(1) *A. Calmanescu*
 (2) second officer had noted —
 (3) A: No.
 (4) Q: Okay. You're saying that's the
 (5) normal procedure?
 (6) A: Normal.
 (7) Q: Do I understand — but you didn't go
 (8) check?
 (9) A: No. His job.
 (10) Q: You're just telling me, right, about
 (11) normal procedure. All right.
 (12) And the same goes for the Sat C —
 (13) A: Sat C.
 (14) Q: — that would be recorded some
 (15) place?
 (16) A: And filed.
 (17) Q: Is that the second officer's job?
 (18) A: Yes.
 (19) Q: In the file, I'm trying to find out
 (20) if we wanted to look for these, where do we look?
 (21) What kind of file are we talking about? Vessel
 (22) file?
 (23) A: The AGC — AGC file. It's some
 (24) file. I don't know the name.
 (25) Q: But it's —

Page 64

A. Callmanescu

- (1) A: It's collected all the AGC messages
(2) we receive.
(3) Q: That file is part of ship's regular
(4) documents?
(5) A: Yes.
(6) Q: I'm going back to about the second
(7) mate's responsibility. You just told me, and I
(8) asked him.
(9) If the second mate, see, is not on
(10) duty, who keeps or does he always have to keep the
(11) record?
(12) A: He always must keep the record.
(13) Q: He always —
(14) A: We are writing on the paper if it's
(15) received by VHF or UHF radio, all the radio
(16) communications, writing who sent, time, who send
(17) and the message.
(18) Q: That's fine. Can you tell me
(19) that — that's the normal procedure?
(20) A: Yes.
(21) Q: So a record is made, as you're
(22) indicating, something is written down?
(23) A: Yes.
(24) Q: And that is kept in the vessel's
(25)

Page 65

A. Callmanescu

- (1) regular file?
(2) A: Ship's file.
(3) Q: Ship's file.
(4) Is there a difference between —
(5) you've got the file you're telling me about that
(6) it's kept in. You also mentioned radio log.
(7) Those two different —
(8) A: The ship's file, it's in the...
(9) Q: I think I'm happy enough.
(10) The messages received on the various
(11) radio channels, or the Sat C, et cetera, it is
(12) written down somewhere by the ship's officers and
(13) kept in the ship — the vessel's file?
(14) A: Yes.
(15) Q: All right.
(16) Again, to be specific, May 22nd
(17) during your 8 to 12 watch, all right, you and the
(18) captain are on the bridge?
(19) A: Correct.
(20) Q: And as you've indicated you —
(21) things to do including each is watching a radar
(22) screen.
(23) A: Correct.
(24) Q: This is inside, you're not out on
(25)

Page 66

A. Callmanescu

- (1) the wings; is that correct?
(2) A: Door was open. Door for the...
(3) Q: You know, I didn't ask you if the
(4) doors open or windows open. I'm just trying to
(5) get where you guys are situated.
(6) Most of the time you were inside the
(7) bridge?
(8) A: Of course.
(9) Q: Now what you said to me is the doors
(10) are open.
(11) A: Yes.
(12) Q: I didn't ask you. Why are you
(13) telling me the doors are open?
(14) A: Because usually I go to smoke and I
(15) keep the door open and to — on the restricted
(16) visibility to hear the other fog signal.
(17) Q: All right. All right.
(18) So under these restricted visibility
(19) circumstances, am I correct that in your
(20) experience, your practice, it's important to have
(21) somebody around to try to listen?
(22) A: Correct.
(23) Q: All right. And the only guys on the
(24) bridge are you and Captain Kowalewski, right?
(25)

Page 67

A. Callmanescu

- (1) A: Yes.
(2) Q: As far as you know, you were the
(3) only two who were in any position to try to
(4) listen; is that correct?
(5) A: We can hear.
(6) Q: There were no other watch officers
(7) working at this time; is that correct?
(8) A: No other watch officers.
(9) Q: You had no lookouts posted?
(10) A: No.
(11) Q: All right. Now, put it this way.
(12) This is your general experience:
(13) You've sailed, you've been schooled,
(14) are you familiar with what we would call the rules
(15) of the road or SOLAS, Safety Life At Sea,
(16) regulations?
(17) A: Yes.
(18) Q: Are you aware, are you familiar with
(19) the responsibility of mariners to, if they know,
(20) to assist other mariners in distress?
(21) A: Yes.
(22) Q: Is it your understanding, see, that
(23) the mariner's duty is that if he hears — if he's
(24) advised by an urgent message of somebody in peril,
(25)

ADRIAN CALMANESCU

September 12, 2007

STEPSKI v.

THE M/V NORASIA

Page 68

(1) *A. Calmanescu*
 (2) he should take action to help?
 (3) A: Yes.
 (4) Q: It is not good seamanship to ignore
 (5) a message —
 (6) A: Of course.
 (7) Q: — and just run from the scene; is
 (8) it?
 (9) A: Correct.
 (10) Q: I mean, proper seamanship, see,
 (11) would require, if I hear somebody is in distress,
 (12) I don't mean on the other side of the world, no,
 (13) within — within 30 miles, if I hear that, I have
 (14) an obligation to help?
 (15) A: Correct.
 (16) Q: And the least I should do is to try
 (17) to call somebody, tell the Coast Guard I'm here,
 (18) if you need me; isn't that correct?
 (19) A: Correct.
 (20) Q: You don't just sit and ignore it?
 (21) A: Correct.
 (22) Q: That's very bad seamanship; isn't
 (23) it?
 (24) A: Yes.
 (25) Q: Now, all right. On the afternoon of

Page 69

(1) *A. Calmanescu*
 (2) May 22nd, the NORASIA ALYA before proceeding into
 (3) Port Elizabeth dropped the anchor out at Ambrose,
 (4) right?
 (5) A: Correct.
 (6) Q: Do you know whether or not the
 (7) NORASIA ALYA had a scheduled time to unload over
 (8) at Port Elizabeth?
 (9) A: I don't know.
 (10) Q: Cargo officer is what the chief;
 (11) isn't he?
 (12) A: Yes.
 (13) Q: I don't want to beat this, but I
 (14) want to ask you again. Going back to — remember
 (15) reference to an urgent message from the Coast
 (16) Guard?
 (17) Am I correct nobody consulted with
 (18) you, nobody, captain, other officers, nobody
 (19) consulted with you as to receiving a message?
 (20) A: No.
 (21) Q: Or what we should do?
 (22) A: No.
 (23) MR. WIEGEL: If you have a
 (24) spot when you can take a break.
 (25) MR. HEALEY: Sure.

Page 70

(1) *A. Calmanescu*
 (2) (Recess taken.)
 (3) MR. HEALEY: All right.
 (4) BY MR. HEALEY:
 (5) Q: Now, I'd like you to tell me
 (6) something about the general duties when you're on
 (7) watch. All right? When you're — because I'm not
 (8) talking about any particular day, general duties
 (9) if you're on watch, see.
 (10) You've already indicated how, you
 (11) know, you watch the radar, you fix it at different
 (12) settings, that's part of your general procedure;
 (13) you always do that, right?
 (14) A: Yes.
 (15) Q: The logbook, we were just going over
 (16) that, and as you indicated, that during your
 (17) watch, or any officer's watch, you make those
 (18) entries —
 (19) A: Yes.
 (20) Q: — they're made while you're on
 (21) watch?
 (22) A: Yes.
 (23) Q: So that's another regular — that's
 (24) another routine for the watch?
 (25) A: Routine.

Page 71

(1) *A. Calmanescu*
 (2) Q: Now, I don't know, but we were
 (3) mentioning about, I think you said UHF and VHF.
 (4) This is a radio?
 (5) A: Radio.
 (6) Q: Okay. Now, is there a speaker —
 (7) the watch officer on the bridge —
 (8) A: Yes.
 (9) Q: — do you hear the messages coming
 (10) in?
 (11) A: Yes.
 (12) Q: That's what I'm getting at.
 (13) In other words, you don't have
 (14) someone sitting —
 (15) A: Like one telephone, normal is the
 (16) speaker.
 (17) Q: Okay. That's all —
 (18) A: Loud speaker.
 (19) Q: So the watch officer, the —
 (20) (Interruption.)
 (21) Just again the routine, talking
 (22) about the radio, you hear the speaker, the watch
 (23) officer, would he make notes, will he keep a
 (24) record of, you know, certain messages that come
 (25) in?

STEFAN V.
THE M/V NORASIA

ADRIAN CALMANESCU
September 12, 2007

Page 72

A. Callmanescu

- (1) A: Yes.
(2) Q: All right.
(3) See, all I'm trying to get clear,
(4) there are a number of duties that the watch
(5) officer carries out as a routine while he's
(6) standing his watch, correct?
(7) A: Correct.
(8) Q: And we're going through them.
(9) Now charts, do you have to make
(10) entries in charts during your —
(11) A: The position?
(12) Q: Yes.
(13) A: Yes, the position.
(14) Q: That's all I'm saying. By law
(15) aren't you required to make —
(16) A: Noting the position, to find the
(17) vessel, or the ship's position. You don't to
(18) run...
(19) Q: That's exactly what I'm talking
(20) about. So this is just a routine.
(21) So the watch officer has to plot and
(22) chart the vessel's position.
(23) A: Position.
(24) Q: Now, on the NORASIA ALYA, see,

Page 73

A. Callmanescu

- (1) there's a chart room; isn't there?
(2) A: Yes.
(3) Q: That's right up there on the bridge
(4) but, you know, it's aft of where the steering
(5) controls and the radio, right?
(6) A: Yes.
(7) Q: Is there any other paperwork, we
(8) talked about the log, we've talked about you might
(9) make a note on a UHF radio message, you've got to
(10) make some entries or the chart.
(11) Any other paperwork that routinely
(12) the watch officer keeps during his standing, his
(13) watch?
(14) A: No, paperwork. Paperwork
(15) afterwards.
(16) Q: No, see I don't know, I'm just —
(17) see, what I'm trying to find out, and you're
(18) telling me, is that as a matter of routine, the
(19) watch standing officer has a number of duties and
(20) things he has to do while up on the bridge, right?
(21) A: Yes.
(22) Q: And we've spoken about log entries,
(23) charts, listening to messages.
(24) Anything else that's normally

Page 74

A. Callmanescu

- (1) routine that you have to do? I don't know, tell
(2) me. Do you have to read, do you have to make
(3) inspections of anything?
(4) A: No, only on the bridge to assure the
(5) vessel its safety. Not going into danger or to
(6) danger to other vessels.
(7) MR. HEALEY: Do you have a
(8) copy of this?
(9) MR. WIEGEL: What's that, the
(10) statement of facts?
(11) BY MR. HEALEY:
(12) Q: Just a little detail. Is it
(13) correct — you've got to make log entries?
(14) A: Yes.
(15) Q: And as was pointed out to me, when
(16) you're looking at your log entry you've got —
(17) your logbook, you have a right-hand page and a
(18) left-hand page.
(19) A: That's right.
(20) Q: The right-hand page is where you
(21) make various commentaries about events that
(22) happened, correct?
(23) A: Correct.
(24) Q: On the left-hand page these are all

Page 75

A. Callmanescu

- (1) kinds of headings, and speeds, and weather; is
(2) that correct?
(3) A: Yes.
(4) Q: Now those also, during your watch,
(5) you're the man who makes those?
(6) A: Yes.
(7) Q: So what we're trying to get at is,
(8) that is another duty, you have to check all these
(9) things?
(10) A: Barometer, thermometer.
(11) Q: I understand that. Because I'm
(12) looking at it with you now.
(13) There are columns, barometer?
(14) A: Yes.
(15) Q: No, I didn't think you went out with
(16) a wind stock.
(17) A: No, they're a device, automatic
(18) device.
(19) Q: All you do is read it?
(20) A: Look at the device and you have
(21) correctly the true wind.
(22) Q: That's what I'm saying. You just
(23) look at the device, you take the reading and you
(24) put it in your book?

ADRIAN CALMANESCU

September 12, 2007

STEPSKI v.
THE M/V NORASIA

Page 76

A. Calmanescu

(1) A: Yes.

(2) Q: That's all I'm getting at. Because

(3) then you — same goes, I assume, because you got

(4) stuff here on temperature. All you do is go look

(5) at a —

(6) A: Thermometer.

(7) Q: — and read it. And you've got wind

(8) direction and force.

(9) You got something that you go out

(10) and look at?

(11) A: Yes.

(12) Q: Or is that something that you judge?

(13) A: No, it has the device. I look into

(14) the device and it show the direction and the

(15) force, and the speed. In the front of the logbook

(16) you have the scale.

(17) Q: That's what I'm getting at, because

(18) in your wind you have direction, that's easy

(19) enough; southwest, SW, right?

(20) A: Uh-huh.

(21) Q: And 7, that relates to the voltage

(22) scale?

(23) Look in the logbook —

(24) MR. WIEGEL: Referring to

Page 77

A. Calmanescu

(1) column number 7, correct?

(2) MR. HEALEY: No, no, not at

(3) this point. I now moved over to 8.

(4) Q: Column 8?

(5) MR. WIEGEL: Okay.

(6) Q: You got a number, right? And the

(7) number I think you — is seven.

(8) Whatever the number is, that relates

(9) the Beaufort scale?

(10) A: Beaufort scale.

(11) Q: What I'm doing, I'm not going to

(12) beat this to death, I'm going to stop.

(13) This is the watch officer's duty to

(14) make these entries, and you do it during your

(15) watch, and you just explained to us how you go

(16) read the various gauges, right?

(17) A: Yes.

(18) Q: I'm going to ask you to take a look

(19) at this, it's says "Statement of Facts," it's

(20) Kowalewski Exhibit 14. Take a look at that.

(21) Now we'll go — I'm just counting...

(22) about the eighth paragraph down, see, it refers to

(23) the Coast Guard broadcast on channel CH16, right?

(24) MR. WIEGEL: Just — you're

Page 78

A. Calmanescu

(1) referring to the paragraph that begins

(2) around 1400 LP master?

(3) MR. HEALEY: That's correct.

(4) MR. WIEGEL: Okay.

(5) Do you see that?

(6) THE WITNESS: Yes.

(7) MR. WIEGEL: Okay.

(8) Q: Now, I think we've covered this.

(9) You might have said you know nothing about it.

(10) Why I'm asking you to take a look at this, see —

(11) A: Yes.

(12) Q: — this is dated Newport News

(13) May 25th. You see that in the upper right hand?

(14) A: Yes.

(15) Q: Turn the page with me a minute.

(16) There is — just follow this, there is a

(17) statement: "All above information is certified by

(18) master and deck officers as true."

(19) Do you see that?

(20) A: Yes.

(21) Q: Again, going back to that paragraph,

(22) just going to — that started, you know, around

(23) 1400 and relates to the EPIRB.

(24) A: Yes.

Page 79

A. Calmanescu

(1) Q: You told me you knew nothing about

(2) this EPIRB?

(3) A: No.

(4) Q: When this statement was prepared —

(5) let me withdraw that.

(6) You didn't prepare this statement,

(7) the master did, right?

(8) A: Yes. On the 25th May.

(9) Q: That's correct.

(10) But I'm saying you didn't prepare

(11) this?

(12) A: No.

(13) Q: Somebody else did. The master did?

(14) A: Right.

(15) Q: But it says, "All information is

(16) certified."

(17) There are certain things you don't

(18) know about. You didn't know about the EPIRB; did

(19) you?

(20) A: Yes, I know the EPIRB from the AGC.

(21) Q: You learned later from this

(22) information. All right.

(23) Just tell me, I'm not going to go

(24) over all this.

Page 80

A. Calmanescu

- [1] The master prepared it. Did he
[2] discuss with you all of this information before he
[3] asked you to put your signature here?
[4] A: About everything what is here?
[5] Q: Yes.
[6] A: We discuss it.
[7] Q: You did discuss this, okay.
[8] Were all the officers present during
[9] the discussion?
[10] A: We discussing during the watch.
[11] Q: Oh, okay, I think you answered.
[12] But I wanted to know whether the
[13] captain sat down, see, with the chief, the second,
[14] and yourself. Did you have a — did he have a
[15] discussion with the four of you together?
[16] A: Not together.
[17] Q: Okay. See, then —
[18] A: I don't remember if all together.
[19] Q: Well — well, the question was going
[20] to be, and I don't think you answered, I was going
[21] to ask you: What did the other people say?
[22] A: I don't remember.
[23] Q: You don't remember?
[24] A: I don't remember.

Page 81

A. Calmanescu

- [1] Q: You don't remember meeting together.
[2] And I just — there is some mention
[3] in there as to — this is at Newport News, as to
[4] the master checking his radar as against fishing
[5] boats. Turn the page and you'll see what I'm
[6] talking about.
[7] Do you know what I'm talking about?
[8] A: Yes.
[9] Q: Now, were you involved at all in —
[10] I guess what we could call it, testing the NORASIA
[11] ALYA's radars to pick up fishing boats on the 25th
[12] of May?
[13] A: No.
[14] Q: No.
[15] A: Maybe the midship mate.
[16] Q: You see what I'm talking about, the
[17] captain refers to the fact leaving Newport News,
[18] see, and then he makes some reference to testing
[19] the radar.
[20] All I want to know is, were you
[21] involved at all in the testing of the radar?
[22] A: No.
[23] Q: On the 22nd of May, how were your
[24] radars operating?

Page 82

A. Calmanescu

- [1] A: Very good.
[2] Q: They were good?
[3] A: Good.
[4] Q: And we know it was foggy on the
[5] 22nd, but there was hardly any seas; is that
[6] correct? It was flat?
[7] A: Yes.
[8] Q: It was a good day for radar
[9] reception, right?
[10] A: Yes.
[11] Q: And you had those radars what, set
[12] on — this is on the 22nd, during the time you
[13] were on watch, you could vary the scale, right?
[14] A: Yes.
[15] Q: Were you picking up targets, no
[16] matter what the scale was?
[17] A: Yes.
[18] Q: What I'm trying to say is, it worked
[19] well?
[20] A: Yes.
[21] Q: The radar was returning some targets
[22] out in front of you, correct?
[23] A: Yes. Picked up the targets.
[24] Q: So somebody was watching the radar.

Page 83

A. Calmanescu

- [1] The radar's operating, and if somebody knew what
[2] he was doing, he certainly would have been able to
[3] pick up the targets and know what they are?
[4] A: Yes.
[5] Q: Have you been trained in radar?
[6] A: Training?
[7] Q: On the 22nd of May when you were
[8] there, 0800 to 1200, you told me you were involved
[9] in looking at the radar?
[10] A: Yes.
[11] Q: Did you know what you were doing?
[12] A: Yes.
[13] Q: You knew what this return on the
[14] screen was?
[15] A: Yes.
[16] Q: You knew when you saw a target,
[17] correct?
[18] A: Yes.
[19] (Continued next page; no
[20] deletions.)
[21]
[22]
[23]
[24]
[25]

ADRIAN CALIMANESCU
September 12, 2007

STEPSKI v.
THE M/V NORASIA

Page 84

(1) *A. Calimanescu*
(2) MR. HEALEY: We're done.
(3) MR. WIEGEL: We're done.
(4) Thank you very much.

(5)
(6) (Whereupon, at 11:57 a.m., the
(7) deposition was concluded.)

(8)
(9)
(10)
(11)
(12)
(13)
(14)
(15)
(16)
(17)
(18)
(19)
(20)
(21)
(22)
(23)
(24)
(25)

Page 85

(1) CERTIFICATE
(2)
(3)
(4) STATE OF _____
(5) COUNTY/CITY OF _____
(6)
(7) Before me, this day, personally appeared ADRIAN
(8) CALIMANESCU, who, being duly sworn, states that
(9) the foregoing transcript of his/her deposition,
(10) taken in the matter, on the date, and at the time
(11) and place set out on the title page hereof,
(12) constitutes a true and accurate transcript of said
(13) deposition.

(14)
(15)
(16) ADRIAN CALIMANESCU
(17)

(18)
(19) SUBSCRIBED and SWORN to before me this _____
(20) day of _____, in the
(21) jurisdiction aforesaid.

(22)
(23)
(24) My Commission Expires _____ Notary Public
(25)

Page 87

Page 85

(1) CAPTION
(2)
(3)
(4) The deposition of ADRIAN CALIMANESCU, taken in the
(5) matter, on the date, and at the time and place set
(6) out on the title page hereof.

(7)
(8)
(9) It was requested that the deposition be taken by
(10) the reporter and that same be reduced to
(11) typewritten form.

(12)
(13)
(14) It was agreed by and between counsel and the
(15) parties that the Deponent will read and sign the
(16) transcript of said deposition.

(17)
(18)
(19)
(20)
(21)
(22)
(23)
(24)
(25)

(1) DEPOSITION ERRATA SHEET
(2)
(3) RE:
(4) FILE NO.
(5) CASE CAPTION: MICHAEL STEPSKI, et al. vs.
(6) THE M/V NORASIA ALYA, et al.
(7) DEPONENT: ADRIAN CALIMANESCU
(8) DEPOSITION DATE: September 12, 2007

(9) To the Reporter:
(10) I have read the entire transcript of my Deposition
(11) taken in the captioned matter or the same has been
(12) read to me. I request for the following changes
(13) be entered upon the record for the reasons
(14) indicated.
(15) I have signed my name to the Errata Sheet and the
(16) appropriate Certificate and authorize you to
(17) attach both to the original transcript.

(18)
(19)
(20)
(21)
(22)
(23)
(24) SIGNATURE: _____ DATE: _____
(25) ADRIAN CALIMANESCU

Page 88

(1)
 (2) September 12, 2007
 (3) INDEX
 (4) WITNESS PAGE
 (5) ADRIAN CALIMANESCU
 (6) By Mr. Healey 4
 (7)
 (8) EXHIBITS
 (9) Calmanescu
 FOR IDENT. DESCRIPTION PAGE
 (10)
 1 Document issued by 11
 (11) Autoritatea Navala, the
 Rumanian Naval Authority
 (12)
 (13)
 (14)
 (15)
 (16)
 (17)
 (18)
 (19)
 (20)
 (21)
 (22)
 (23)
 (24)
 (25)

Page 89

(1)
 (2) CERTIFICATE
 (3) STATE OF NEW YORK)
 (4) COUNTY OF NEW YORK)
 (5) I, LINDA D. DANIELCZYK, a Certified
 (6) Shorthand Reporter, Registered
 (7) Professional Reporter and Notary Public
 (8) within and for the State of New York and
 (9) New Jersey, do hereby certify:
 (10) I reported the proceedings in the
 (11) within entitled matter, and that the
 (12) within transcript is a true record of such
 (13) proceedings.
 (14) I further certify that I am not
 (15) related, by blood or marriage, to any of
 (16) the parties in this matter and that I am
 (17) in no way interested in the outcome of
 (18) this matter.
 (19) IN WITNESS WHEREOF, I have hereunto
 (20) set my hand this 9th day of October, 2007.
 (21)
 LINDA D. DANIELCZYK, C.S.R., R.P.R.
 (22) License No. 30X100188700 - N.J.
 My Commission Expires:
 (23) 11/24/2008 - No. 2048904
 License No. 001002 - N.Y.
 My Commission Expires:
 (24) 9/20/2010 - No. 01DA4952883
 (25)
 (1)

Lawyer's Notes

STEPSKI V.
THE M/V NORASIA

ADRIAN CALMANESCU
September 12, 2007

0

0.1 48:20, 21
0430 43:18, 19, 21, 44:4
0800 28:20; 29:6, 6, 20;
36:9, 15; 38:17; 44:12, 20;
45:4, 8; 47:16; 48:12;
49:18; 50:15; 51:2, 10;
52:12; 83:9
0843 54:11

1

1 11:5, 6, 10; 12:11, 25;
18:25; 51:5, 7; 59:7
110 27:7
1130 55:25
11:57 84:6
12 22:4, 7, 17; 36:15;
52:4, 24; 53:18; 54:2;
65:18
1200 23:2; 28:21; 29:6;
45:8; 47:16; 83:9
14 77:21
1400 78:3, 24
18 38:16; 41:13
17th 13:6
19 9:5
1971 6:23
1986 7:12, 14; 9:9, 15
1:00 56:2; 58:25; 59:3

2

2 15:6; 19:15
2000 22:9
2002 5:13; 12:3
2004 5:15; 13:6, 7; 14:25;
15:15; 16:13; 36:3
21 45:19, 25; 46:2, 15
22 36:2, 25; 43:16; 46:15;
49:20; 50:8, 16, 19, 24;
51:15; 54:5
22nd 14:25; 15:15; 21:20;
29:18; 43:15; 45:12;
52:12; 58:19; 59:15, 19;
60:10, 12; 61:19, 19;
65:17; 69:2; 81:24; 82:6,
13; 83:8
23 43:12
23rd 16:13; 17:10; 21:2;
35:17, 19; 43:10
2400 22:9
25th 13:7; 78:14; 79:9;
81:12
268 54:7
270 54:7

3

3 19:24; 20:20; 36:8;

53:19; 58:18
30 6:23; 68:13
30-mile 53:17

4

4 5:14, 14; 35:20; 37:11;
46:23

6

6 53:19
6:00 57:22

7

7 76:22; 77:2
71 6:23

8

8 22:4, 7, 17; 46:23; 52:4,
24; 54:2; 56:25; 65:18;
77:4, 5
800 22:25; 36:10

9

91 9:6
96 9:6

A

a.m 84:6
AB 22:24, 24; 28:24, 25;
29:9; 46:4
able 56:21; 83:3
aboard 16:18, 21
above 78:18
Academy 9:2
access 52:20
according 4:14; 8:10;
49:20
accurate 10:19; 11:19;
15:9
accurately 4:6
act 52:5
action 68:2
activate 40:8, 24; 51:24,
25
activated 40:4; 41:18;
51:11, 13, 18
actually 23:15; 61:21
additional 40:15
ADIA 4:2
Adjusting 24:10
adjustment 23:20; 24:21;
27:16
Adrian 5:3; 85:4
advised 67:25

aft 73:5
afternoon 60:2, 9; 68:25
afterwards 73:16
again 5:4; 12:10; 20:3;
36:6, 24; 38:14, 17; 43:3,
10, 11, 17; 45:12; 46:14;
61:7; 65:17; 69:14; 71:21;
78:22
against 81:5
AGC 60:23; 61:9, 11;
63:23, 23; 64:2; 79:21
agreed 85:14
ahead 21:8; 39:24
almost 51:4
alongside 21:3; 31:19
alpha 61:11
alter 23:21; 25:6, 24;
26:3, 4, 5; 27:6; 50:3
alteration 50:7
altering 26:7; 27:23
Although 10:2
Always 22:15, 16; 29:7;
64:11, 13, 14; 70:13
ALYA 5:12, 25; 11:22;
13:2, 10, 18, 24; 14:3, 22;
18:17; 19:8, 18; 20:4, 15,
19, 24; 21:16, 21, 24;
32:24; 33:9, 23; 41:24;
47:25; 49:8, 19, 22; 50:3;
59:18; 62:2; 69:2, 7; 72:25
ALYA's 52:25; 62:18, 23;
81:12
Ambrose 29:25; 30:6;
31:7; 35:2; 69:3
anchor 69:3
answered 52:8; 80:12,
21
ANTILLANCA 14:4
approaching 35:2
appropriate 41:4
area 24:24; 37:20
areas 34:11, 19; 35:3, 7
ARIANA 14:4
around 15:24; 18:6, 8;
30:16; 35:12; 53:20, 21;
66:22; 78:3, 23
arrived 16:12
aside 52:3
assigned 22:2, 19; 47:9;
52:4
assail 67:21
assailing 21:6
assume 12:19; 25:12;
76:4
assure 74:5
asthe 4:3
audit 59:4, 5
Authoritater 11:8, 15
authority 7:8, 9; 9:11;
11:9, 13, 16
Automate 42:23
automatic 23:11, 18, 19,
21; 24:5, 7, 7; 25:7, 17, 19,
20; 39:9, 14, 18; 40:4;

51:10, 17, 20, 21; 75:18
available 15:7; 33:18, 24
aware 16:17; 17:9; 21:15;
35:2; 38:5; 59:21; 67:19

B

back 19:12; 43:11; 56:24;
64:7; 69:14; 78:22
background 6:21
bad 37:13, 20; 40:7;
47:25; 48:4; 68:22
Barometer 75:11, 14
beat 69:13; 77:13
Beaufort 77:10, 11
beginning 35:18
begins 78:2
behind 53:21
besides 22:18
best 45:4
better 10:25; 20:9
big 5:25; 17:5; 19:8; 24:18
birth 6:22
bit 8:20; 47:4
board 12:15; 13:5, 9;
17:10; 32:18; 62:2
boat 18:6, 7, 16
boats 18:11; 81:6, 12
book 9:12; 32:4, 6, 9, 12,
17, 23; 33:4, 6, 11, 14, 22;
34:6; 75:25
books 32:19
bosun 57:9, 11, 15
both 38:14
bow 20:24; 21:3
break 69:24
bridge 6:2; 22:14, 15, 16;
28:21; 33:17; 35:8; 38:24;
43:24; 44:2, 15, 16, 19;
45:5; 47:16, 22; 49:13;
51:12; 52:6, 9, 21; 55:2, 6,
7, 11; 57:17, 18; 65:19;
66:8, 25; 71:7; 73:4, 21;
74:5
broadcast 77:24
Bulk 9:22

C

C 4:11, 11; 60:25; 61:9,
12, 14; 62:4; 63:12, 13;
65:12
cabin 58:25; 59:10
cadet 46:17
Calmanescu 5:3, 5, 6, 9;
11:5, 10; 17:21; 41:15;
85:4
call 32:24; 33:22; 35:8;
37:11; 47:21; 48:2; 61:14;
67:15; 68:17; 81:11
called 4:3; 32:6
came 16:21; 29:19;
44:12, 17, 19; 48:11; 49:7,

18; 50:15; 55:10
can 6:9; 8:13; 10:8; 12:11,
13; 15:10; 16:11; 17:13;
19:6, 10, 17, 19; 24:17;
25:11; 26:17; 29:17;
32:21, 22, 23; 35:16, 17;
39:24; 40:5; 45:4; 48:5;
58:18; 64:19; 67:6; 69:24
captain 4:21; 13:13, 18;
17:3, 6, 18; 18:5; 19:2;
34:17, 20, 25; 37:11;
42:13, 21; 44:10, 20, 25;
45:2, 3, 9; 47:17, 20; 48:2,
7; 49:7, 25; 50:2, 22; 52:4;
53:2, 8, 23; 55:11; 59:25;
65:19; 66:25; 69:18;
80:14; 81:18
captain's 4:22, 24; 37:3;
44:11
CAPTION 85:2
care 49:5
Cargo 9:22; 69:10
carrier 9:22
carries 72:6
case 15:11; 24:6; 28:11
certain 31:20, 21; 34:18;
37:3; 48:5; 49:4; 71:24;
79:18
certainly 83:3
certified 78:18; 79:17
cetara 44:6, 7; 65:12
CH16 77:24
change 26:25; 41:5;
53:16, 16; 54:3, 5, 10;
55:14, 20
changed 29:3
changes 29:4
channel 77:24
channels 65:12
Charila 61:11
chart 72:23; 73:2, 11
charts 72:10, 11; 73:24
check 29:17; 36:8; 45:4;
53:17; 63:8; 75:9
checked 16:12
checking 30:4; 81:5
chief 8:8; 19:25; 47:3;
58:3; 69:10; 80:14
CHILE 12:5; 13:16
chole 11:4
circumstances 31:5, 6;
66:20
citizenship 6:24
claim 58:6
clarify 61:10
clear 6:16; 15:3; 45:21;
59:23; 62:24; 72:4
clearer 18:23
close 5:9
closer 53:19
Coast 16:19, 21, 25; 17:5;
18:4, 7, 10; 30:23; 32:6;
59:17; 60:4, 17, 21; 62:12,
19; 68:17; 69:15; 77:24

ADRIAN CALMANESCU
September 12, 2007

STEPSKI v.
THE M/V NORASIA

collected 64:2
Color 19:21
Color's 19:20; 20:5
colors 20:8
COLUMBUS 12:4, 6;
13:16
column 45:19, 25; 46:2,
15, 15; 77:2, 5
columns 75:14
comfortable 6:5
coming 27:5, 7; 30:21;
71:9
commentaries 74:22
communications 64:17
company 13:23; 14:9
compare 53:24
compulsion 42:5
compulsory 42:2; 43:4
concerning 43:18; 60:4,
17
concluded 84:7
condition 18:16
conditions 34:7
conducted 16:18
confuse 62:24
constantly 51:21
consulted 69:17, 19
Container 11:23; 12:2, 8
continue 12:7
continued 50:23; 83:21
controls 73:6
coordinates 30:2, 5
copied 61:23
copies 15:9
copy 14:23; 74:9
correctly 27:19; 43:13;
75:22
counsel 85:14
counting 77:22
course 23:21; 24:25;
25:6, 19, 21, 24; 26:3, 4, 5,
5, 8, 18; 27:6, 7, 8, 16, 23;
48:23; 54:3; 66:9; 68:6
courses 9:10, 11
covered 78:9
covers 36:9
create 48:5
creates 49:4
crawl 57:8, 11, 16
CSAV 13:19, 21; 14:3
cut 17:20

D

D 4:5, 11, 13
daily 35:20
Danelczyk 4:5, 13
danger 74:6, 7
dangerous 48:8, 13
dangers 48:5; 49:4
Darkness 61:17

date 6:22; 11:11; 16:19;
35:17; 36:2; 43:11, 17;
85:5
dated 78:13
day 61:2; 70:8; 82:9
DC 46:16
De 12:19
dealt 17:6
death 77:13
decide 25:23
Deck 12:22; 14:15; 17:19;
26:10; 35:24; 46:17; 57:2,
3, 3, 4, 4, 5, 5, 8, 11, 16, 16,
20, 22; 58:15, 16; 78:19
degrees 26:20; 54:5, 7
deletions 83:22
department 57:2, 3
Deponent 85:15
deposition 19:2; 84:7;
85:4, 9, 16
described 25:11
detail 8:22; 74:13
device 25:10; 75:18, 19,
21, 24; 76:14, 15
difference 65:5
different 29:10; 65:8;
70:11
direction 33:4, 5, 6; 76:9,
15, 19
Directions 33:10, 13, 22;
34:6
discharged 44:24; 45:8
discuss 80:3, 7, 8
discussing 53:22; 80:11
Discussion 10:11;
49:16; 80:10, 16
distress 67:21; 68:11
docked 20:23
docking 21:6
document 10:17; 11:7;
12:11
documents 64:5
Doehle 13:25; 14:5
done 23:23; 24:4, 17;
26:7, 8; 27:19; 41:11, 25;
42:7; 43:7; 84:2, 3
Door 66:3, 3, 16
doors 66:5, 10, 14
down 17:22; 50:6; 55:8,
20; 56:18, 18; 61:23;
62:13; 64:23; 65:13;
77:23; 80:14
dropped 37:10; 69:3
duly 4:4, 12
during 18:3, 17; 22:12;
24:2; 28:20; 36:21; 37:20;
40:7; 43:24; 44:5; 46:8;
51:2; 52:11, 23; 54:2;
56:25; 58:7, 17; 65:18;
70:16; 72:11; 73:13; 75:5;
77:15; 80:9, 11; 82:13
duties 21:20, 20; 59:13;
70:6, 8; 72:5; 73:20
duty 36:21; 64:11; 67:24;

75:9; 77:14

E

E 4:11
easily 10:5
easy 26:20; 76:19
eight 22:10
eighth 77:23
either 38:12; 52:5
Elizabeth 15:19; 16:13;
17:10, 17; 20:16, 23; 21:2,
15; 69:3, 8
else 55:13, 15; 56:6;
73:25; 79:14
emergency 24:6; 28:11,
12; 31:5
endorsement 7:20
engaged 23:15
English 4:8, 9; 5:20; 6:3,
4, 6, 10, 11, 15, 19; 12:15,
21
enough 5:9; 49:15;
65:10; 76:20
enter 31:7; 39:4; 40:12
entered 17:14; 62:19
entering 33:14; 34:7
entire 50:23; 51:2
entitle 8:7
entrance 35:9
entries 36:14, 15, 21;
37:4, 22; 38:3, 19; 41:13,
24; 43:6; 47:5; 70:18;
72:11; 73:11, 23; 74:14;
77:15
entry 15:3; 43:18; 44:4, 8,
11; 51:9, 14; 74:17
EPIRB 60:5, 5, 18; 78:24;
79:3, 19, 21
estimate 48:18
et 44:6, 6; 65:12
even 62:4
events 36:21; 74:22
everybody 18:19, 20
Exactly 58:21, 22; 72:20
EXAMINATION 4:16
examined 4:14
except 55:13
Exhibit 11:10; 12:24;
15:6; 77:21
experience 66:21; 67:13
explain 12:12
explained 26:8; 77:16
extend 9:12

F

F-E-L-I-A-S 46:6
fecing 44:6
fact 46:15; 59:21; 81:18
facts 50:13; 74:11; 77:20
falling 47:21

Fair 49:15; 59:6
fairway 29:21, 23; 30:8,
20; 31:7, 20; 35:7, 9
fairways 31:16
faithfully 4:6
familiar 31:14, 18; 32:8,
12, 17; 67:15, 19
far 34:25; 48:18; 67:3
faster 50:6
February 13:6
Fellas 46:5
fellow 29:10
few 25:24
fifth 57:18
file 63:19, 21, 22, 23, 24;
64:4; 65:2, 3, 4, 6, 9, 14
filed 63:16
find 35:17; 50:13; 55:4;
58:16; 63:19; 72:17; 73:18
fine 64:19
finger 20:11; 27:5
finish 60:16
finished 54:17
first 4:12; 9:14, 15; 11:25;
19:3; 30:24; 37:6; 49:25
fishing 31:19, 22; 34:10,
11, 19; 35:3, 7; 81:5, 12
fits 24:12
Five 8:25; 9:3
fix 70:11
flat 82:7
floor 57:18
fo'c's'le 37:23; 52:13
fog 37:5; 39:9, 14, 19;
40:4, 8, 14, 24; 41:18;
42:13, 23; 51:10, 17, 21,
23; 66:17
foggy 82:5
follow 10:13; 42:10;
78:17
follows 4:15
force 76:9, 16
form 37:24; 38:2, 8;
39:23; 49:9; 56:11; 61:24;
85:11
forward 18:13, 19, 20,
21; 19:17; 57:20
found 34:12
four 46:3, 9; 50:18; 80:16
frankly 45:24
free 60:11
freeway 29:20
front 20:3; 26:17; 53:18;
57:16; 76:16; 82:23
function 12:14
functions 22:25; 28:10

G

GARGAN 5:14; 32:4;
51:5
gauges 77:17

gave 32:4
general 21:20, 20; 35:12,
15; 47:24; 67:13; 70:6, 8,
12
generally 33:7; 36:6, 24;
49:21
German 46:19
gesturing 24:9
given 4:8; 38:11
goes 63:12; 76:4
golf 61:11
good 23:10; 68:4; 82:2, 3,
4, 9
government 7:18
grammar 8:23
great 8:21; 24:18
grounds 31:19, 22
Guard 16:19, 21; 17:2, 6;
18:4, 7, 10; 30:23; 59:17;
60:4, 17, 22; 62:12, 19;
68:17; 69:16; 77:24
guass 16:8; 19:13; 32:24;
47:13; 49:2; 50:22; 60:3;
81:11
guy 29:2; 58:4
guys 57:12; 66:6, 24

H

hall 56:4
Hamburg 15:16, 22;
16:5; 20:18; 21:14; 23:9;
34:5
hand 24:12, 17; 28:11,
12, 13, 15, 17; 78:14
handle 24:22
hanging 56:13
happened 74:23
happy 65:10
hardly 5:19; 82:6
heading 15:18; 25:18;
26:19, 20; 28:3; 29:13;
30:6; 45:13
headings 75:2
HEALEY 4:17, 19; 5:7;
7:23; 9:23; 10:2, 25; 14:25;
15:8, 13; 35:21; 37:25;
38:13; 43:14; 45:19, 22;
49:10, 15, 17; 53:14;
56:12; 69:25; 70:3, 4; 74:8,
12; 77:3; 78:4; 84:2
hear 43:13; 59:16; 66:17;
67:6; 68:11, 13; 71:9, 22
hears 67:24
Helmsman 22:20, 21;
23:4, 6, 15; 27:20; 28:7,
17; 44:14, 16, 17, 22; 45:8;
46:8, 10, 12, 13
help 10:13; 68:2, 14
helping 37:19
here's 20:6
hereof 85:6
himself 45:6
history 10:13, 23

hold 5:16
 home 55:3
 hopefully 18:23
 horn 42:13, 23
 hours 22:3, 12; 50:18
 house 29:25
 hull 15:23; 18:17; 19:7;
 18; 20:15, 19
 hundred 26:20, 22; 27:4,
 5

I

Idea 21:19
 Identification 11:11
 Identified 10:6
 Identify 10:8; 19:6, 17;
 32:21, 22, 23
 ignore 68:4, 20
 Il 9:20; 15:4
 Important 66:21
 Inbound 30:5, 9, 12
 Incldant 43:25
 incidents 21:16
 Including 18:5; 65:22
 Indicated 27:11; 65:21;
 70:10, 16
 Indicating 64:23
 Indication 52:18
 Indicator 27:12
 Inform 40:15
 Information 32:9, 15, 25;
 33:14; 34:6, 11; 59:16;
 78:18; 79:16, 23; 80:3
 Inside 65:25; 66:7
 Inspection 15:23; 59:4,
 13
 Inspections 74:4
 Instructions 35:6
 Interpreter 4:3; 5:6; 6:9,
 18
 Interruption 71:20
 Into 4:8, 9; 8:21; 29:13;
 30:21; 31:16; 46:15;
 47:25; 69:2; 74:6; 76:14
 Introduced 4:18
 Investigation 16:18;
 17:11; 18:4, 18
 Involved 27:21; 81:10,
 22; 83:9
 Issue 49:25
 Issued 7:7, 11; 11:7, 13

J

Jankowski 43:19; 44:5;
 47:21
 Job 23:6; 62:6, 10, 13, 13;
 63:9, 17
 Judge 76:13
 Jump 56:24
 Jumping 35:11

June 38:16; 41:13

K

keep 27:13; 28:7; 64:11,
 13; 66:16; 71:23
 keeping 35:16; 39:3, 17;
 40:3
 keeps 64:11; 73:13
 kept 33:17; 50:8, 18;
 64:25; 65:7, 14
 kind 9:21; 11:21; 20:9;
 26:16; 32:3, 8; 33:10; 49:3;
 61:8; 63:21
 kinds 75:2
 knew 79:2; 83:2, 14, 17
 knob 24:7, 7, 15, 22
 knots 49:20, 23; 50:8, 16,
 19, 24
 Kowalewski 11:4; 13:13;
 15:5; 18:25; 19:15; 47:17;
 59:25; 66:25; 77:21
 Kowalewski's 45:3

L

L 4:11
 lack 20:9
 lane 30:5, 9, 10, 12, 13, 15
 Language 6:2, 15; 10:4
 least 10:10
 later 79:22
 law 4:14; 72:15
 lawyers 17:10, 13
 learn 60:8, 13, 20
 learned 79:22
 least 5:24; 28:20; 68:16
 leave 15:14; 56:13
 leaving 16:5; 81:18
 left 15:22; 24:16; 55:2, 6
 left-hand 74:19, 25
 Less 48:20
 letter 61:12
 Liberia 7:19
 Liberian 7:20
 license 4:24; 7:6, 10, 14,
 15, 25; 8:7, 12, 15, 19;
 9:12; 21:22; 49:2
 licenses 7:5, 17; 8:13
 Life 67:16
 light 29:25
 likes 46:4
 Linda 4:5, 13
 list 12:25; 32:18
 listed 46:22; 47:7
 listen 48:25; 51:20;
 66:22; 67:5
 listening 6:5; 73:24
 little 6:21; 8:20; 74:13
 local 32:15, 25; 34:7
 located 15:4

log 37:13, 14; 39:18;
 51:15; 65:7; 73:9, 23;
 74:14, 17
 logbook 14:22; 15:4;
 16:12; 21:9; 29:17; 35:13,
 16, 25; 38:4, 16; 39:3;
 40:3, 12; 41:11, 24; 42:7;
 43:7; 45:15, 20; 51:9;
 52:15; 62:14, 15, 16, 18,
 24; 70:15; 74:18; 76:16, 24
 logbooks 15:7
 logged 47:20
 Look 6:14; 10:19; 14:23;
 18:20; 19:3, 16, 22, 24;
 20:3; 21:8; 25:13; 34:5;
 35:14, 16; 36:25; 43:10;
 48:17; 52:15; 56:17;
 62:17; 63:20, 20; 75:21,
 24; 76:5, 11, 14, 24; 77:19,
 21; 78:11
 looking 12:10, 24; 13:4;
 18:22; 35:14, 24; 41:12;
 45:12; 74:17; 75:13; 83:10
 Lookout 23:7; 27:22;
 28:8, 9; 37:22, 23; 40:15;
 41:3, 4; 45:16, 17, 20, 25;
 46:7, 13, 16, 24; 47:7, 8, 9;
 52:5, 11
 lookouts 38:4; 41:19;
 42:13, 25; 67:10
 looks 13:5; 46:4
 Loud 71:18
 low 37:10
 LP 78:3
 lunch 55:20, 21, 22; 56:3,
 7; 58:13

M

M 4:11
 main 57:4, 5, 20
 Maintain 50:7
 makes 75:6; 81:19
 making 28:2; 58:7
 man 19:12; 28:13; 75:6
 maneuver 28:4
 many 31:10, 15; 56:23;
 57:9
 mariner 49:2
 mariner's 67:24
 mariners 32:13; 67:20,
 21
 Markim 12:20
 Maritime 8:25; 9:11;
 11:13
 mark 11:2
 marked 11:9; 12:11;
 15:5; 18:25; 30:2, 3
 master 13:12; 37:14;
 38:24; 40:7, 8, 15, 22;
 41:17; 52:5; 55:15; 78:3,
 19; 79:8, 14; 80:2; 81:5
 mate 7:4, 6; 8:5, 8, 10, 16,
 17; 47:3; 58:3; 62:6; 64:10;
 81:16

mate's 7:10, 14, 25; 62:9;
 64:8
 matter 4:4; 73:19; 82:17;
 85:5
 May 5:12; 14:25; 15:15;
 16:13; 17:10; 18:23;
 21:20; 29:18; 35:17, 19;
 36:2; 43:10, 12, 15, 16;
 45:12; 51:15; 52:12;
 58:20; 59:15; 60:10, 12;
 65:17; 69:2; 78:14; 79:9;
 81:13, 24; 83:8
 Maybe 38:13; 81:16
 meal 55:23; 58:13; 59:9
 mean 5:15; 10:22; 12:21;
 16:6; 22:5; 24:8; 30:2, 23;
 42:6; 53:12; 68:10, 12
 means 11:16; 12:15; 47:8
 meeting 81:2
 mention 81:3
 mentioned 28:6; 65:7
 mentioning 71:3
 mess 56:4
 message 59:17, 20; 60:4,
 9, 17, 22, 23; 61:8, 15, 23;
 62:8, 11, 12, 19; 64:18;
 67:25; 68:5; 69:15, 19;
 73:10
 messages 62:3; 64:2;
 65:11; 71:9, 24; 73:24
 midnight 22:10; 46:3, 9
 midship 27:9; 81:16
 might 35:2; 73:9; 78:10
 miles 37:11; 48:20; 51:6,
 7; 53:18, 19; 68:13
 mind 18:15
 mine 53:25
 minuta 5:16; 56:24; 78:16
 mode 39:15
 moment 8:16
 monitor 53:11
 monitored 53:7, 8
 monitoring 52:24; 53:10,
 24, 25
 Monthly 29:2, 5
 more 9:8; 41:23
 morning 22:6, 7; 46:9;
 52:23; 54:18
 most 10:7; 66:7
 move 25:12
 moved 77:4
 moving 27:7
 much 84:4
 must 64:13
 myself 4:18; 37:19

N

N 4:11, 11
 name 5:2, 19; 9:19; 12:4,
 13; 17:13; 32:22; 33:2;
 46:3, 16, 19; 63:24
 names 10:5; 17:14; 56:22

National 7:8; 9:11
 native 5:17
 neautical 48:20; 51:5, 7
 Naval 11:9, 16
 Navala 11:8, 15
 near 35:7
 necessary 6:17
 need 26:3; 29:18; 40:18;
 48:7; 68:18
 New 4:5, 13; 8:11; 15:19;
 23:9; 25:19, 20, 20; 26:4,
 6; 27:6, 8, 16; 29:13, 14,
 14; 30:21; 31:11, 16;
 33:15; 34:7
 Newport 78:13; 81:4, 18
 News 78:13; 81:4, 18
 next 47:4, 4; 61:2; 83:21
 night 22:10; 59:22, 22;
 61:3, 5, 16, 17, 19
 nobody 52:4; 69:17, 18,
 18
 noon 22:8, 9; 36:9; 47:16;
 51:3, 10; 52:12; 54:17;
 57:2; 58:10, 18; 59:6;
 60:13
 NORASIA 5:12, 25;
 11:22; 12:25; 13:10, 18,
 24; 14:3, 22; 18:17; 19:8,
 18; 20:4, 14, 19, 24; 21:16,
 21, 24; 32:24; 33:9, 23;
 41:24; 47:25; 49:8, 19, 22;
 50:3; 52:24; 59:18; 62:2,
 18, 23; 69:2, 7; 72:25;
 81:11
 normal 22:25; 28:21;
 36:18; 40:5, 13, 16; 41:5,
 8, 10, 20, 23; 42:5; 55:21;
 57:21, 25; 63:5, 6, 11;
 64:20; 71:15
 normally 30:19; 35:25;
 51:22; 73:25
 Notary 4:4, 12
 note 37:12, 20, 21; 39:19;
 40:3; 41:10; 73:10
 noted 37:6; 39:8; 41:16,
 16, 17, 18; 48:12; 63:2
 notes 71:23
 notified 37:14; 41:17
 notify 40:22; 42:13
 Noting 72:17
 number 12:17; 45:23;
 72:5; 73:20; 77:2, 7, 8, 9
 numbered 36:7
 numbers 25:3, 13; 48:16

O

Object 37:24; 38:2, 7;
 39:22; 49:9; 56:11
 obligation 68:14
 observe 18:15, 16
 occupation 7:3
 occurred 58:7
 off 10:11; 49:14, 16; 55:7

officer 8:9, 14, 16, 17;
9:17, 18; 12:2, 22; 14:15,
20; 21:23; 23:2; 25:11;
26:9; 27:20, 25; 28:16, 22;
29:7; 34:2; 36:20, 22, 23;
37:6, 13, 21; 39:19; 42:17,
20; 43:18; 44:5; 45:6;
46:23, 25; 47:17, 21;
54:23, 24, 25; 55:10, 14;
63:2; 69:10; 71:7, 19, 23;
72:6, 22; 73:13, 20
officer's 56:4; 63:17;
70:17; 77:14
officers 17:19; 56:8, 9,
14, 15, 18; 65:13; 67:7, 9;
69:18; 78:19; 80:9
officel 4:3
Offiter 12:19
one 13:5; 14:11, 24;
15:12; 18:10; 19:25;
24:15; 25:18, 18; 26:20;
30:9, 15; 31:12, 13; 32:11;
33:23; 36:2; 38:12; 41:23;
51:4; 53:2, 2, 7, 8; 54:5;
60:23; 71:15
only 5:20; 6:17; 8:10;
18:7; 36:22, 23; 45:5;
47:15; 54:7; 66:24; 67:4;
74:5
open 57:5; 66:3, 5, 5, 11,
14, 16
operating 81:25; 83:2
order 39:21, 25
orders 37:2, 3, 3, 16;
42:15
ordinary 31:4, 6
original 15:7
others 56:22
out 24:23; 26:16; 30:10;
50:13; 55:5; 57:9; 58:16;
63:19; 65:25; 69:3; 72:6;
73:18; 74:16; 75:16;
76:10; 82:23; 85:6
outbound 30:13, 14
outside 15:23
over 46:15; 47:14; 54:22;
55:8, 10, 11; 59:7; 69:7;
70:15; 77:4; 79:25
owned 13:24

P

page 35:20; 36:8, 25;
74:18, 19, 21, 25; 78:16;
81:6; 83:21; 85:6
pages 10:10, 15; 35:20,
25
paper 4:22; 64:15
paperwork 73:8, 12, 15,
15
paragraph 77:23; 78:2,
22
part 17:11; 43:6; 64:4;
70:12
particular 15:3; 70:8
parties 85:15

pass 31:22
past 35:3
people 16:21; 17:2, 19;
18:5; 22:19; 45:5; 47:15;
57:14; 80:22
peril 67:25
period 54:3; 58:17
personally 34:4
Peter 13:25; 14:5, 7
PETROHUE 14:11, 12
pick 26:19; 29:19; 81:12;
83:4
Picked 82:24
picking 82:16
picture 18:15; 19:4, 12;
20:7, 20
pictures 18:24
plar 18:12
pilot 23:11, 18, 19, 21;
24:5; 25:8, 17; 32:6; 33:4,
6, 11, 14
place 17:14; 24:24;
63:15; 85:5
planning 25:25; 26:2;
54:14, 15, 16
please 5:16
plot 72:22
Plotting 53:20
point 26:5; 37:10; 44:24;
47:10; 51:4; 55:6; 60:2, 12,
20; 77:4
pointed 74:16
Pointing 20:10
points 25:24; 34:18
politeness 5:8
Port 15:18; 16:13; 17:10,
17; 20:15, 23; 21:2, 15;
29:14; 31:7, 11; 33:14;
34:7; 69:3, 8
position 14:19; 21:23;
67:4; 72:12, 14, 17, 18, 23,
24
positioned 22:13
post 41:2, 4
posted 37:23; 38:4;
41:19; 52:12; 67:10
practice 36:18; 39:3, 17;
40:2, 6, 11; 43:6; 66:21
prepare 79:7, 11
prepared 79:5; 80:2
preparing 59:4
present 7:3; 8:12, 12;
80:9
previously 15:5
primarily 10:3
Printed 45:15
probably 11:5; 57:14
procedure 35:16; 40:13,
16, 20, 21; 41:6, 8, 10, 20,
23; 42:6, 12; 47:24; 53:9,
10; 57:21; 58:2; 63:5, 11;
64:20; 70:12
procedures 55:21
proceeding 48:24; 49:3;

69:2
pronounce 5:19
pronunciation 5:8
proper 42:25; 68:10
propounded 4:7
Public 4:4, 12; 32:19
publication 32:20, 23
Punte 12:20
purpose 28:18, 19
put 39:18; 42:6; 44:8;
67:12; 75:25; 80:4

R

R 4:11
redar 41:5; 52:20, 25;
53:5, 6, 13, 23, 24, 25;
65:22; 70:11; 81:5, 20, 22;
82:9, 22, 25; 83:6, 10
radar's 83:2
redars 81:12, 25; 82:12
radio 32:18; 62:5, 11, 14,
14, 16, 18, 23; 64:16, 16;
65:7, 12; 71:4, 5, 22; 73:6,
10
range 41:5; 53:17
rating 8:8; 9:16
reach 29:25
read 15:12; 24:23; 26:16;
39:13; 45:23; 61:24; 74:3;
75:20; 76:8; 77:17; 85:15
reading 48:16; 75:24
reason 48:4; 50:4; 54:13
recall 20:14; 45:4
receipt 60:5, 9
receive 60:3; 64:3
received 59:17; 60:21,
23; 62:4; 64:16; 65:11
receives 62:11
receiving 69:19
reception 82:10
Recess 70:2
recollection 16:7; 17:6;
45:7; 57:25
record 9:23; 10:11, 20;
15:3; 45:18; 49:14, 16;
62:3, 5; 64:12, 13, 22;
71:24
recorded 62:8; 63:14
reduce 53:18
reduced 15:12; 85:10
refer 16:12
reference 69:15; 81:19
referring 14:21; 45:19;
76:25; 78:2
refers 77:23; 81:18
registry 11:20
regular 23:6; 39:3; 40:2,
11, 21; 43:6; 55:23; 56:4;
64:4; 65:2; 70:23
regularly 22:19
regulation 30:23
regulations 8:11; 31:2;

67:17
relates 76:22; 77:9; 78:24
relieved 54:20; 55:19
remain 27:15
remained 51:3
remains 25:7
remember 17:25; 20:17;
21:4, 5; 28:25; 30:22; 31:8;
34:13, 14; 45:10; 47:13,
15, 18, 19; 52:14; 55:16;
56:10, 23; 58:24; 59:19;
61:4; 69:14; 80:19, 23, 24,
25; 81:2
reporter 85:10
requested 85:9
require 68:11
required 23:25; 37:9, 13;
42:17, 21; 72:16
requirement 30:20
requiring 31:4
responding 27:8
responsibility 64:8;
67:20
rest 10:7
restricted 37:5; 38:21;
40:14, 21; 41:7, 20; 44:6;
48:17, 21; 51:3, 23, 25;
66:16, 19
return 83:14
returning 82:22
right 4:18, 19; 5:18; 6:12;
7:24; 8:2, 3; 9:13; 11:17,
24; 12:23; 13:2; 15:8, 13,
16; 16:4, 4, 10, 16, 24;
17:4, 20; 18:2, 2, 9, 9, 14;
19:16; 20:22; 22:22;
24:16, 20; 25:4, 24; 26:13;
27:21; 29:18; 30:6, 11;
31:9; 35:10, 21; 37:15;
39:16; 40:9, 17; 41:17;
42:2, 21; 45:23; 49:24;
50:21; 54:12, 22; 55:9, 9,
17, 22; 56:3; 57:23, 23;
58:5, 13, 23; 62:16, 22;
63:10, 11; 65:16, 18;
66:18, 18, 24, 25; 67:12;
68:25; 69:4; 70:3, 7, 13;
72:3; 73:4, 6, 21; 74:20;
76:20; 77:7, 17, 24; 78:14;
79:8, 15, 23; 82:10, 14
right-hand 74:18, 21
RIO 13:19, 21; 14:3
road 67:16
room 73:2
routine 70:24, 25; 71:21;
72:6, 21; 73:19; 74:2
routinely 73:12
rudder 27:7, 8
rules 67:15
Rumanian 4:8, 9; 5:17;
6:25; 7:2, 8, 9, 14; 10:8;
11:8, 12, 16; 12:10, 19
run 23:11; 68:7; 72:19

S

S 4:11
S-A-T 61:12
safety 29:20, 23; 30:8,
20; 31:6; 35:7, 9; 59:4, 13;
67:16; 74:6
sail 8:8, 13; 13:17; 49:3
sealed 8:4; 12:2; 13:14;
67:14
sailing 15:21; 25:20;
30:4; 33:3, 4, 5, 6, 10, 13,
22; 34:6; 51:22
seeme 19:20, 21; 20:5, 8;
29:2; 30:18; 42:10, 18;
63:12; 76:4; 85:10
SAMMARINA 9:20
Sat 60:25; 61:9, 11, 14;
62:4; 63:12, 13; 65:12;
80:14
Saturday 36:2
saw 18:12; 59:20; 83:17
saying 26:12; 28:7;
30:11; 31:20, 21; 40:20;
41:10, 22; 42:5; 43:4;
57:19; 63:4; 72:15; 75:23;
79:11
scale 76:17, 23; 77:10,
11; 82:14, 17
scene 68:7
schedule 58:3
scheduled 69:7
school 8:23; 9:4
schooled 67:14
schooling 8:21, 24; 9:8
SCHWARTZ 4:2
scraping 20:13
scrapping 20:12
scratch 20:13
scratches 20:15, 19
screen 25:14; 65:23;
83:15
screens 25:18
sea 9:23; 10:12, 22; 67:16
Seaman 7:4; 9:12; 22:23,
24, 24; 57:3
seamanship 68:4, 10, 22
seas 82:6
second 6:15; 8:8, 10, 13,
17; 43:18; 44:5; 47:20;
50:22; 54:24, 25; 55:10,
14; 62:6, 9; 63:2, 17; 64:7,
10; 80:14
section 19:18; 36:8
seeing 28:2
seams 20:8
segment 15:15
send 64:17
sent 64:17
seperation 29:24; 54:6
September 6:23; 13:7
serve 12:7
service 12:25

eat 25:18, 19; 39:10;
53:11; 82:12; 85:5
eats 53:3
setting 26:6; 27:6
settings 70:12
seven 77:8
SHARON 4:2
Ship 6:2; 9:14, 15, 19, 21,
22; 11:21; 15:24; 18:5;
19:9; 27:15; 28:22; 42:15;
65:14
ship's 11:20; 37:3; 64:4;
65:3, 4, 9, 13; 72:18
ships 10:5, 8, 20; 11:19;
14:5; 30:15; 31:15
short 58:18
show 21:10; 25:3, 18;
76:15
showed 32:6
showing 10:18; 24:11,
24; 32:7
shown 20:19
side 68:12
sign 5:25; 85:15
signal 39:9, 14, 19; 40:4,
9, 14, 24, 25; 41:18; 51:11,
17, 21, 24; 66:17
signals 32:19
signature 80:4
simple 28:3; 50:13
simply 6:10; 12:11
Singleton 17:15, 16, 24
sit 68:20
sitting 19:9; 71:14
situated 66:6
situation 37:22; 48:8, 13;
53:23
six 57:11, 12
slow 50:6
small 18:10; 24:14, 15
smoke 66:15
SOLAS 67:16
somebody 66:22; 67:25;
68:11, 17; 79:14; 82:25;
83:2
someone 71:14
sometime 61:3, 5, 15;
62:21
somewhat 26:13
somewhere 65:13
Sound 39:14
southwest 76:20
speak 5:17, 20; 16:25;
17:16; 60:14
speaker 71:6, 16, 18, 22
speaking 5:22; 6:6; 33:7;
36:6
special 29:24
specific 22:2; 35:5;
57:24; 65:17
specifically 34:18
speed 49:8, 19, 22; 50:3,
7; 76:16

speeds 75:2
spell 46:20
spoken 73:23
spot 69:24
spots 31:20, 21
spreads 46:15
standard 39:3, 17
stenders 42:10; 43:5
standing 14:17, 18; 37:2,
16; 39:21, 25; 42:14; 72:7;
73:13, 20
start 38:14; 40:14
started 11:3; 15:16;
78:23
startling 35:20; 55:21
State 4:5, 13
statement 17:23; 74:11;
77:20; 78:18; 79:5, 7
stay 30:5
steady 14:9
steering 23:15; 28:11,
12, 14, 15, 17; 73:5
still 6:24; 7:2; 12:9, 10,
24; 14:7; 35:11; 41:12;
48:13; 55:11; 61:18
stock 75:17
stop 77:13
struck 21:16
stuff 35:12; 76:5
suggest 59:24
supplies 32:12
supposed 39:4, 7; 41:25
sure 6:16; 69:25
SW 76:20
sworn 4:4, 12

T

talk 17:5
talked 73:9, 9
talking 17:3, 18; 18:11;
24:8, 18; 25:7; 31:5; 32:3,
5; 33:21; 41:13; 63:21;
70:8; 71:21; 72:20; 81:7, 8,
17
target 53:20; 83:17
targets 82:16, 22, 24;
83:4
telephone 71:15
telex 61:13
telling 7:21; 53:3; 57:25;
62:25; 63:10; 65:6; 66:14;
73:19
tells 40:8
temperature 76:5
ten 26:23; 27:4, 6
testified 4:14; 60:2
testimony 45:3
testing 81:11, 19, 22
thermometer 75:11; 76:7
Third 7:4, 6, 10, 14, 25;
8:4, 13, 16; 9:16, 18; 28:22

three 10:10
throughout 52:6
thrusters 20:24; 21:3
till 58:18, 25; 59:7
tillor 24:6
times 31:10; 37:20; 38:3
title 85:6
together 35:14; 80:16,
17, 19; 81:2
told 33:23; 36:24; 39:2;
41:19; 42:12; 45:24;
58:12; 64:8; 79:2; 83:9
Tom 4:19
tongue 5:17
took 19:2; 54:22
top 49:21
traffic 29:24; 30:9; 31:15;
54:6, 6
trainad 83:6
training 9:9; 83:7
TRANCURA 13:19, 22;
14:3
transcript 85:16
translate 4:6
trouble 48:16
true 75:22; 78:19
try 6:9, 18; 66:22; 67:4;
68:16
trying 25:22; 26:15;
27:10; 33:7; 34:10; 50:12,
22; 55:4; 58:16; 63:19;
66:5; 72:4; 73:18; 75:8;
82:19
tugboats 21:6
tugs 16:5
turn 24:16, 22; 26:12;
28:2; 78:16; 81:6
turning 25:20
Twenty-four 49:23
two 10:10, 15; 25:17;
35:25; 38:10; 45:5; 47:15;
53:3, 5, 6; 54:7; 65:8; 67:4
Two-page 10:16
type 32:12
typewritten 85:11

U

U 4:11
UHF 62:4; 64:16; 71:3;
73:10
under 7:19; 9:10; 21:22;
22:25; 31:4, 6; 46:14;
66:19
unload 69:7
up 25:13; 28:21; 29:9;
40:8; 48:11; 49:7; 52:12;
73:4, 21; 81:12; 82:16, 24;
83:4
upper 78:14
urgency 59:20
urgent 59:17; 60:4, 9, 17;
62:12, 19; 67:25; 69:15

use 6:17; 24:6; 30:20;
31:6, 15
used 16:6; 18:25; 21:3;
24:18
usually 42:6, 8; 66:15

V

V-O-E-L-C-H-N-E-R
46:21
various 65:11; 74:22;
77:17
vary 82:14
vessel 11:23; 12:2, 13;
15:21, 23; 16:11, 18; 18:6;
23:16; 25:7, 19; 29:20;
30:4, 20; 31:4; 37:4; 49:8;
50:23; 51:22; 53:21;
60:21; 62:4; 63:21; 72:18;
74:6
vessel's 50:15; 64:25;
65:14; 72:23
vessels 12:8; 14:2, 15;
34:12; 53:20; 74:7
VHF 64:16; 71:3
visibility 37:5; 7, 8, 10,
14, 21; 38:22; 40:7, 14, 21;
41:8, 20; 44:6; 47:25; 48:5,
15, 17, 19, 22, 24; 49:3;
51:3; 52:2; 66:17, 19
voltage 76:22
volume 31:15
vowage 15:16
voyage 5:12; 21:14; 23:9;
25:25; 26:2; 33:9; 34:5;
54:14, 15, 16

W

walt 14:22; 25:12
walk 15:24
watch 8:16, 17; 14:17, 18,
20; 21:23; 22:3, 12, 17;
23:2; 24:2; 25:11; 26:9;
27:12, 19, 25; 28:16, 21;
29:7; 34:2; 36:20, 22, 23;
37:6, 13, 21; 38:17; 39:19;
40:7; 42:9, 17, 20; 43:5,
22; 44:5; 45:6; 46:9, 23,
25; 47:5, 17; 48:11; 49:18;
50:23; 51:2, 10; 52:12, 23,
24; 54:18, 22; 55:14;
56:25; 58:8; 59:7; 65:18;
67:7, 9; 70:7, 9, 11, 17, 17,
21, 24; 71:7, 19, 22; 72:5,
7, 22; 73:13, 14, 20; 75:5;
77:14, 16; 80:11; 82:14
watching 65:22; 82:25
water 21:17
way 10:14; 30:18; 31:21;
67:12
waypoint 26:4
weather 51:23; 75:2
What's 6:21; 23:6; 74:10
wheel 24:15, 18, 22; 26:9,

13, 16, 25
Whereupon 11:7; 84:6
who's 19:11
whole 10:22; 13:9; 23:12
WIEGEL 5:5; 7:22; 9:25;
10:4, 16; 11:3; 14:24; 15:2,
11; 35:19; 37:24; 38:2, 7,
15; 39:22; 43:12, 16;
45:18; 46:6, 20; 49:9, 12;
52:7; 53:12, 15; 56:11;
61:10; 69:23; 74:10;
76:25; 77:6, 25; 78:5, 8;
84:3
wind 75:17, 22; 76:8, 19
windows 66:5
wing 52:6
wings 66:2
withdraw 33:20; 34:16;
38:14; 42:10; 52:10;
61:22; 79:6
within 68:13, 13
witness 4:7, 9; 78:7
word 20:9
words 71:13
work 15:10; 57:22
worked 82:19
working 14:7; 57:3, 16;
58:4, 4; 67:8
world 68:12
write 40:18; 42:3; 62:13
writes 46:23
writing 17:23; 21:13;
64:15, 17
written 17:22; 64:23;
65:13
wrong 43:15

Y

years 8:25; 9:3
York 4:5, 13; 15:19;
23:10; 29:13, 14, 14;
30:21; 31:11, 16; 33:15;
34:7

Lawyer's Notes
